

James Hamilton, Englishtown.
Charles W. Brophy, Skillman.
Abram A. Reger, Somerville.
Carroll R. Cox, Tuckerton.
Harry C. Lussy, Wharton.

NEW YORK

Henry P. Wilcox, Cohocton.
William J. Pike, Sanborn.

NORTH DAKOTA

Peder T. Rygg, Fairdale.
Mary A. Manning, Jud.

PENNSYLVANIA

John J. Nichols, Lansdowne.
Luther P. Ross, Saxton.

SOUTH DAKOTA

John H. Mathias, Rapid City.

WASHINGTON

Jacob H. Berge, Davenport.
Margaret J. Chilberg, La Conner.
Curtis B. Bay, Lynden.
John E. Meyers, Scenic.

WEST VIRGINIA

Pete A. Spurlock, Logan.
Waitman T. Grose, Stirrat.
James A. Little, Waverly.

SENATE

MONDAY, February 6, 1928

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O God, forasmuch as without Thee we are not able to please Thee, mercifully grant that Thy Holy Spirit may in all things direct and rule our hearts. Look with loving mercy upon the people of these United States. Turn the strivings of men to Thy glory. Purge all our hearts of the evil spirit of selfishness, and grant that as the dim and tangled web of our thought, which but yesterday we carried to our pillow, now stands illumined and unraveled by the touch of day, so may our spirits at last rouse from the overnight dusk of mere mortal experience into the clear shining of the morrow's intuition. Through Jesus Christ, our Lord. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Wednesday, February 1, 1928, when, on the request of Mr. CURTIS, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Ferris	McKellar	Shipstead
Barkley	Fess	McMaster	Shortridge
Bayard	Fletcher	McNary	Simmons
Bingham	Frazier	Mayfield	Smith
Black	George	Metcalf	Smoot
Blaine	Gerry	Moses	Steck
Blease	Gillett	Neely	Steinwer
Borah	Gooding	Norbeck	Stephens
Bratton	Gould	Norris	Swanson
Brookhart	Greene	Nye	Thomas
Broussard	Hale	Oddie	Trammell
Bruce	Harris	Overman	Tydings
Capper	Harrison	Phipps	Tyson
Caraway	Hawes	Pine	Wagner
Copeland	Hayden	Pittman	Walsh, Mass.
Couzens	Hedin	Ransdell	Walsh, Mont.
Curtis	Howell	Reed, Mo.	Warren
Cutting	Johnson	Reed, Pa.	Waterman
Dale	Jones	Robinson, Ark.	Watson
Deneen	Kendrick	Robinson, Ind.	Wheeler
Dill	Keyes	Sackett	Willis
Edge	King	Schall	
Edwards	La Follette	Sheppard	

The VICE PRESIDENT. Ninety Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hattigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9481) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1929, and for other purposes; requested a conference with the Senate on the disagreeing votes

of the two Houses thereon, and that Mr. WOOD, Mr. WASON, and Mr. CULLEN were appointed managers on the part of the House at the conference.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Foreign Relations:

Joint Resolution 8, relating to the negotiation of a treaty with Canada for the early completion of the Great Lakes-St. Lawrence seaway

Whereas the improvement of the St. Lawrence River by a series of canals and locks, so as to make it possible for the largest ocean-going vessels to pass through its channels and to come to all ports on the Great Lakes, is to Wisconsin and the entire Middle West the most important of public questions; and

Whereas this St. Lawrence seaway project has now been brought materially nearer realization by the recent favorable report of the advisory committee appointed by the Canadian Government, which followed the exchange of notes between Secretary of State Kellogg and the Canadian Foreign Office in the spring and early summer of 1927, in which the United States declared itself ready to enter into immediate negotiations for the construction of the St. Lawrence canals and locks while Canada asked for further time for consideration of this project; and

Whereas the only remaining obstacle to the conclusion in the near future of an agreement between the United States and Canada regarding the St. Lawrence seaway appears to be that Canada believes that it should not be asked to pay half of the estimated total cost of about \$167,000,000, because it is now at its own expense building another important link in this seaway project—the Welland Canal—and also that it is entitled to compensation for the loss caused Canada by the lowering of the level of the Great Lakes through the diversion of above 8,000 cubic feet of water per second through the Chicago drainage canal; and

Whereas such an attitude on the part of Canada is entirely reasonable and the United States will benefit so greatly from the St. Lawrence seaway that it can afford to be most liberal with Canada: Now therefore be it

Resolved by the assembly (the senate concurring), That the Legislature of Wisconsin hereby again affirms that the early completion of the St. Lawrence seaway is a matter of vital importance to this State and also of great benefit to the entire country, and urges that Canada be advised through proper diplomatic channels and by congressional resolution that this country stands ready to give credit in the apportionment of the costs of this project for the expenditures made by Canada upon the Welland Canal and also to compensate it for the losses caused by the Chicago diversion of a large volume of water from the Great Lakes if the United States Supreme Court shall finally uphold this diversion. Be it further

Resolved, That properly attested copies of this resolution be sent to the President of the United States, to the presiding officers of both Houses of Congress, and to each Wisconsin Member of the United States Senate and Houses of Representatives.

HENRY A. HUBER,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
JOHN W. EBER,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of Wisconsin, which was ordered to lie on the table:

Joint Resolution 12, commending the action of the United States Senate for refusing to seat Frank L. Smith, of Illinois

Resolved by the assembly (the senate concurring), That the Legislature of the State of Wisconsin hereby expresses its approval of the recent action of the United States Senate and of the votes cast by the Senators from Wisconsin, Hon. ROBERT M. LA FOLLETTE, Jr., and Hon. JOHN J. BLAINE, in refusing to seat Frank L. Smith, of Illinois, and expresses the hope that in any similar case like action will be taken, so as to insure freedom from corruption in our legislative bodies; be it further

Resolved, That copies of this resolution, duly attested, be forwarded to the Presiding Officer of the United States Senate and to Senators ROBERT M. LA FOLLETTE, Jr., and JOHN J. BLAINE.

HENRY A. HUBER,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
JOHN W. EBER,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE presented the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Indian Affairs:

Joint Resolution 9, relating to the leasing of the water powers on the Menomonee Indian Reservation to private interests

Whereas the Wisconsin Power & Light Co., an Insull property, is seeking permission from the Federal Power Commission to allow it to lease and develop the water powers on the Menomonee Indian Reservation and the Federal Power Commission has granted a preliminary permit for the survey of these water powers by this corporation; and

Whereas this power project is opposed by some of the Indians, the Wisconsin League of Women Voters, the Isaak Walton League, and other civic organizations because it involves the exploitation of the resources of the Indians by private interests without adequate compensation, and also will result in the destruction of the great scenic beauty of the reservation and of this part of the Wolf River; and

Whereas this legislature in adopting Joint Resolution 92, A., has already gone on record in opposition to the leasing of these water powers to private interests and has asked Wisconsin's Representatives in Congress to consider the feasibility of converting the river and timber tract on the Menomonee Indian Reservation into a national park: Now therefore be it

Resolved by the assembly (the senate concurring), That the attorney general be, and is hereby, directed to represent the State of Wisconsin in opposition to the granting of any permit for the leasing and development of the water powers on the Menomonee Indian Reservation by private interests, and that the railroad commission is requested not to issue any permit under the State law for this purpose; be it further

Resolved, That this legislature again expresses its views that the wonderful scenic beauty on the Wolf River on the Menomonee Indian Reservation should be preserved for the benefit of the entire public, and to this end favors the acquisition, with fair compensation to the Indians, of all lands on the east side of the Wolf River from Keshena Falls to Sullivan Falls and west of State Trunk Highway 55 for State park purposes, together with control over the waters of the Wolf River, if it shall not be feasible to convert the entire river and timber tract of the Menomonee Indian Reservation into a national park; be it further

Resolved, That the conservation commission is instructed to ascertain upon what terms these lands and water rights can be acquired, and is further directed to purchase the same at a reasonable price from any funds appropriated and available or which may hereafter be appropriated for State park purposes; be it further

Resolved, That Wisconsin's Representatives in Congress be, and are hereby, requested to do everything within their power to assist the State authorities to preserve the scenic beauty of the Menomonee Indian Reservation for the public, and the Federal Power Commission is requested to withhold any permit for the leasing and development of the water powers belonging to Indians by private interests; be it further

Resolved, That copies of this resolution shall be sent to all departments and officers mentioned therein and also to the Federal Power Commission and the United States Bureau of Indian Affairs.

HENRY A. HUBER,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
JOHN W. EBER,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE also presented the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on the Judiciary:

Joint resolution 10, relating to the Norris resolution proposing an amendment to the Constitution of the United States for the earlier seating of Congress

Whereas the United States Senate in the present session of Congress has for the fourth time passed the Norris resolution, which submits to the several States an amendment to the Constitution eliminating the so-called "short" or "lame duck" session of Congress, by advancing the date for the convening of the first regular session of a new Congress from 13 months after its election to January 15 following the November election, and at the same time advancing the date of the inauguration of the President and Vice President from March 4 to January 2; and

Whereas under the present system it is a frequent occurrence that a Congress and a President who have been repudiated at the election are able to defeat the wish of the people, not only for many months but often permanently, and the reason which in 1789 rendered necessary the long delay in the seating of Congress has been removed by the great improvements in transportation since that time; and

Whereas despite the fact that only six Senators voted against the Norris resolution, there is danger that the House of Representatives will

again shelve this resolution without allowing it to come to a vote, as it has done in the three preceding sessions: Now therefore be it

Resolved by the assembly (the senate concurring), That the Wisconsin Legislature hereby again goes on record in favor of the passage of the Norris resolution for the earlier seating of Congress and petitions the House of Representatives to act favorably upon this resolution without delay. Be it further

Resolved, That properly attested copies of this resolution be sent to the Speaker of the House of Representatives and to each Wisconsin Member thereof.

HENRY A. HUBER,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
JOHN W. EBER,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE also presented a joint resolution of the Legislature of the State of Wisconsin, favoring the early completion of the Great Lakes-St. Lawrence seaway, which was referred to the Committee on Foreign Relations.

He also presented a joint resolution of the Legislature of the State of Wisconsin, commending the action of the Senate in refusing to seat Frank L. Smith, of Illinois, which was ordered to lie on the table.

(See above joint resolutions of the Wisconsin Legislature printed in full when previously presented to-day by the Vice President.)

Mr. THOMAS presented memorials numerously signed by citizens of the State of Oklahoma, remonstrating against the passage of the so-called Brookhart bill, relative to the distribution of motion pictures in the various motion-picture zones of the country, which were referred to the Committee on Interstate Commerce.

Mr. WILLIS presented memorials numerously signed by sundry citizens of the State of Ohio, remonstrating against the passage of the so-called Brookhart bill relative to the distribution of motion pictures in the various motion-picture zones of the country, which were referred to the Committee on Interstate Commerce.

Mr. FRAZIER presented a resolution adopted by Vaarliv Lodge, No. 303, Sons of Norway, at Fairdale, N. Dak., protesting against the national-origin provisions of the existing immigration law, favoring amendment of the existing law so that the quota distribution may be based on the census of 1890, and requesting that no further measures of reduction of the Scandinavian quotas be adopted, which was referred to the Committee on Immigration.

He also presented the memorial of L. I. Langness and 16 other citizens of Rolette, N. Dak., remonstrating against the passage of the bill (S. 1752) to regulate the manufacture and sale of stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

Mr. REED of Pennsylvania presented the memorial of the Philadelphia (Pa.) Board of Trade, remonstrating against the adoption of the resolution (S. Res. 83) authorizing an investigation of public utility corporations, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1162) granting the consent of Congress to the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, for the construction, maintenance, and operation of a toll bridge across the Ohio River at Sistersville, Tyler County, W. Va. (Rept. No. 238); and

A bill (S. 2730) authorizing the city of Louisville, Ky., to construct, maintain, and operate a toll bridge across the Ohio River at or near said city (Rept. No. 239).

Mr. DALE, from the Committee on Commerce, to which was referred the bill (S. 2731) granting the consent of Congress to the Rogers Bros. Co. to construct, maintain, and operate a bridge across the Ohio River at Ashland, Ky., reported it with amendments and submitted a report (No. 240) thereon.

Mr. McMASTER, from the Committee on Military Affairs, to which were referred the following bills, reported adversely thereon and moved that they be indefinitely postponed, which was agreed to;

A bill (S. 139) for the relief of Walter W. Newcomer; and
A bill (H. R. 5424) for the relief of Anthony Schwartzberger.

Mr. McMASTER, also from the Committee on Military Affairs, to which was referred the bill (H. R. 3145) for the relief

of Willis B. Cross, reported it with an amendment and submitted a report (No. 241) thereon.

He also, from the same committee, to which was referred the bill (H. R. 3315) for the relief of Charles A. Black, alias Angus Black, reported it without amendment and submitted a report (No. 242) thereon.

Mr. REED of Pennsylvania, from the Committee on Military Affairs, to which was referred the bill (H. R. 6991) authorizing the erection of a nonsectarian chapel at the Army medical center in the District of Columbia, and for other purposes, reported it without amendment and submitted a report (No. 243) thereon.

He also, from the Committee on Immigration, to which were referred the following bill and joint resolution, reported them each with amendments and submitted reports thereon:

A bill (S. 2450) to amend the immigration act of 1924, entitled "An act to limit the immigration of aliens into the United States, and for other purposes" (Rept. No. 244); and

A joint resolution (S. J. Res. 5) to permit wives and minor children of alien declarants to enter the United States as non-quota immigrants (Rept. No. 245).

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (S. 1637) for the relief of Martha Henson, reported it without amendment and submitted a report (No. 246) thereon.

Mr. BINGHAM, from the Committee on Territories and Insular Possessions, to which was referred the bill (S. 757) to extend the benefits of certain acts of Congress to the Territory of Hawaii, reported it without amendment and submitted a report (No. 247) thereon.

He also, from the Committee on Printing, to which was referred the concurrent resolution (S. Con. Res. 6) to print and bind the proceedings in Congress together with the proceedings at the unveiling in Statuary Hall of the statue of Alexander Hamilton Stephens presented by the State of Georgia, reported it without amendment.

Mr. STEPHENS, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2711) for the relief of Walter W. Johnston (Rept. No. 248); and

A bill (S. 2855) for the relief of the estates of John Frazer, deceased, Zephaniah Kingsley, deceased, John Bunch, deceased, Jehu Underwood, deceased, and Stephen Vansandt, deceased (Rept. No. 249).

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 2781) to amend the Code of Law for the District of Columbia so as to empower the corporation counsel for the District of Columbia and his assistants to administer oaths, reported it without amendment and submitted a report (No. 250) thereon.

Mr. BLEASE, from the Committee on Military Affairs, to which were referred the following bills, reported adversely thereon and moved that they be indefinitely postponed, which was agreed to:

A bill (H. R. 4661) to correct the military record of William Mullins; and

A bill (H. R. 6389) for the relief of Samuel Pelfrey.

Mr. TYDINGS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 1405) granting six months' pay to Maria J. McShane, reported it without amendment and submitted a report (No. 251) thereon.

BRIDGE ACROSS ARM OF LAKE MEMPHREMAGOG, VT.

Mr. DALE. Mr. President, from the Committee on Commerce I report back favorably with an amendment the bill (S. 2698) granting the consent of Congress to the State of Vermont to construct, maintain, and operate a free highway bridge across the Clyde River at or near Newport, Vt., and I submit a report (No. 237) thereon. I ask unanimous consent for the immediate consideration of the bill.

Mr. KING. Let it be reported.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The Chief Clerk read the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. The amendment was, on page 1, line 5, to strike out the words "the Clyde River" and to insert in lieu thereof "an arm of Lake Memphremagog," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Vermont to construct, maintain, and operate a free highway bridge and approaches thereto across an arm of Lake Mem-

phremagog, at a point suitable to the interests of navigation, at or near Newport, Vt., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the State of Vermont to construct, maintain, and operate a free highway bridge across an arm of Lake Memphremagog, at or near Newport, Vt."

OHIO RIVER BRIDGE

Mr. WILLIS. Mr. President, the Senator from Vermont [Mr. DALE] has just reported from the Committee on Commerce the bill (S. 1162) granting the consent of Congress to the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, for the construction, maintenance, and operation of a toll bridge across the Ohio River at Sistersville, Tyler County, W. Va. The bill was introduced by the Senator from West Virginia [Mr. GOFF], who is detained from the Senate on account of illness. So far as I know, there is no objection to the bill, and I ask unanimous consent for its present consideration.

Mr. NEELY. Mr. President, if this bill shall not be passed, a great public improvement will be stayed.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, to construct, maintain, and operate a toll bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation within the city limits of Sistersville, Tyler County, W. Va., to a point opposite in Monroe County, Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, all such rights and powers to enter upon land, and to acquire, condemn, occupy, possess, and use, real estate and other property needed for the location, construction, operation, and other maintenances of such bridge and approaches as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes in the State or States in which such land or property is situated, upon making just compensation therefor to be ascertained and paid according to the laws of such State or States, and the proceedings therefor may be had in any court of competent jurisdiction in such State or States.

SEC. 3. The said Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rate until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, the State of West Virginia, or the State of Ohio, or any political subdivision or subdivisions thereof within or adjoining which such bridge is located, may at any time, jointly or severally, acquire and take over all right, title, and interest in such bridge and approaches, and any interest in real estate necessary therefor, by purchase or by condemnation in accordance with the law of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation, the amount of damages of compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and approaches less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion costs not to exceed 10 per cent of all other cost of constructing the bridge and its approaches and acquiring such interests in real property, and (4) actual expenditures for necessary improvement.

SEC. 5. If such bridge shall at any time be taken over or acquired as provided in section 4 of this act, and if tolls are charged for the use thereof in fixing the rate of toll to be charged, the same shall be so adjusted so as to provide, as far as possible, a sufficient fund to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches within a period of not to exceed 20 years from the date of acquiring the same. After a

sinking fund sufficient to pay the cost of acquiring the bridge and its approaches, and any interest that shall accrue on money borrowed for that purpose, shall have been provided, such bridge shall thereafter be maintained and operated free of toll, or the rate of toll shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and if the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 6. The Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, shall immediately after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real estate necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the cost of constructing the same, and for such purpose the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The finding of the Secretary of War as to the cost of the bridge shall be conclusive, subject to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OHIO RIVER BRIDGE AT OR NEAR LOUISVILLE, KY.

Mr. SACKETT. Mr. President, the Senator from Vermont [Mr. DALE] a few moments ago reported the bill (S. 2730) authorizing the city of Louisville, Ky., to construct, maintain, and operate a toll bridge across the Ohio River at or near said city. It is a local measure of interest to the municipality, and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the city of Louisville, Ky., or any board or commission of said city which may be duly created or established for the purpose, is hereby authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation, extending from some point in the city of Louisville, Ky., across said river to a point opposite on the Indiana shore, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said city of Louisville, or such board or commission and the successors thereof, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same, as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said city of Louisville, or such board or commission and the successors thereof, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of tolls so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches or to amortize bonds or other securities issued for such cost, with reasonable financing charges, as soon as possible under reasonable tolls but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortiza-

tion shall have been provided such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RECORDS OF CONFERENCE ON NAVAL ARMAMENT LIMITATION

Mr. BINGHAM, from the Committee on Printing, reported a resolution (S. Res. 134), which was ordered to be placed on the calendar, as follows:

Resolved, That the manuscript entitled "Records of the Conference for the Limitation of Naval Armament, held at Geneva from June 20 to August 4, 1927," be printed as a Senate document.

REPORT OF AMERICAN INSTRUCTORS OF THE DEAF

Mr. BINGHAM, from the Committee on Printing, reported a resolution (S. Res. 135), which was ordered to be placed on the calendar, as follows:

Resolved, That the report of the twenty-fifth meeting of the Convention of American Instructors of the Deaf be printed, with illustrations, as a Senate document.

REPORT ON PRICES, ETC., IN THE PETROLEUM INDUSTRY

Mr. BINGHAM, from the Committee on Printing, reported a resolution (S. Res. 136), which was ordered to be placed on the calendar, as follows:

Resolved, That the manuscript entitled "The report of the Federal Trade Commission on prices, profits, and competition in the petroleum industry" be printed, with illustrations, as a Senate document.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON of Arkansas:

A bill (S. 3020) to recognize the military war services of adjutants general and United States property and disbursing officers as Federal military war duty during war period April 6, 1917, to November 11, 1918; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

A bill (S. 3021) granting a pension to George Fargo; and

A bill (S. 3022) granting a pension to William Fargo; to the Committee on Pensions.

By Mr. NYE (by request):

A bill (S. 3023) to revise the boundary of a portion of the Hawaii National Park on the island of Hawaii in the Territory of Hawaii; to the Committee on Public Lands and Surveys.

By Mr. BROOKHART:

A bill (S. 3024) to provide for the establishment of Federal cooperative banks and a Federal cooperative reserve system, and for other purposes; to the Committee on Banking and Currency.

By Mr. ASHURST:

A bill (S. 3025) providing pensionable status for John D. Boyd's company of the Arizona Militia; to the Committee on Pensions.

A bill (S. 3026) authorizing the construction of a fence along the east boundary of the Papago Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. GEORGE:

A bill (S. 3027) to increase the pay of mail carriers in the village delivery service; to the Committee on Post Offices and Post Roads.

By Mr. PHIPPS:

A bill (S. 3028) granting a pension to Edith L. Love (with accompanying papers); to the Committee on Pensions.

By Mr. BRATTON:

A bill (S. 3029) authorizing surveys and investigations to determine the best methods and means of utilizing the waters of the Gila River and its tributaries above the San Carlos Reservoir in New Mexico and Arizona; to the Committee on Irrigation and Reclamation.

By Mr. SWANSON:

A bill (S. 3030) for the relief of Southern Shipyard Corporation; to the Committee on Claims.

A bill (S. 3031) for the relief of Edmund F. Hubbard; to the Committee on Military Affairs.

By Mr. SCHALL:

A bill (S. 3032) to confer additional jurisdiction upon the Court of Claims under an act entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims," approved May 14, 1926; to the Committee on Indian Affairs.

By Mr. WILLIS:

A bill (S. 3033) granting an increase of pension to Anna E. Stouffer (with accompanying papers);

A bill (S. 3034) granting an increase of pension to Hannah McClannahan (with accompanying papers);

A bill (S. 3035) granting an increase of pension to Eliza J. White (with accompanying papers); and

A bill (S. 3036) granting an increase of pension to Anna T. Kildow (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 3038) for the relief of H. M. Thatcher; to the Committee on Claims.

A bill (S. 3039) making an appropriation for the construction of a bridge and approach road leading to the Zillah State Park, Wash.; to the Committee on Irrigation and Reclamation.

A bill (S. 3040) authorizing the Secretary of War to convey to the port of Vancouver certain lands forming a part of the Vancouver Barracks Military Reservation; to the Committee on Military Affairs.

By Mr. WALSH of Montana:

A bill (S. 3041) amending the act of January 27, 1922 (42 Stat. 359); to the Committee on Public Lands and Surveys.

By Mr. REED of Missouri:

A bill (S. 3042) for the relief of Catherine Fitzsimons; to the Committee on Finance.

A bill (S. 3043) granting an increase of pension to Mary J. Gloschen (with accompanying papers);

A bill (S. 3044) granting an increase of pension to Jennie Webb (with accompanying papers); and

A bill (S. 3045) granting an increase of pension to Leonidas Recob (with accompanying papers); to the Committee on Pensions.

A bill (S. 3046) for the relief of Sterling S. Ball (with accompanying papers); to the Committee on Claims.

By Mr. BINGHAM:

A bill (S. 3047) to amend section 200 of the World War veterans' act, 1924, approved June 7, 1924, as amended; to the Committee on Finance.

By Mr. GEORGE:

A joint resolution (S. J. Res. 90) authorizing the Secretary of War to furnish transportation to certain veterans attending the thirtieth anniversary of the liberation of Cuba; to the Committee on Military Affairs.

By Mr. McMASTER:

A joint resolution (S. J. Res. 91) authorizing an appropriation for bank protection for the control of floods and the prevention of erosion of the Missouri River at and near the town of Yankton in the State of South Dakota; to the Committee on Commerce.

DISTRIBUTION OF THE CONGRESSIONAL RECORD

Mr. HEFLIN. Mr. President, I introduce the bill which I send to the clerk's desk, and ask to have it read for the information of the Senate.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from Alabama will be read.

The bill (S. 3037) increasing the number of copies of the CONGRESSIONAL RECORD furnished gratuitously to the Vice President, Senators, and Representatives was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the forty-sixth paragraph of section 73 of the act entitled "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, as amended, is amended to read as follows:

"To the Vice President and each Senator, 300 copies; and to the Secretary and Sergeant at Arms of the Senate, each 20 copies; and to the Secretary for office use, 10 copies; to each Representative and Delegate, 150 copies; and to the Clerk and Doorkeeper of the House, each 20 copies; and to the Clerk for office use, 10 copies; and to the Clerk for use of Members of the House of Representatives, 50 copies; and to the Sergeant at Arms of the Senate, for the use of the Senate, 20 copies; to be supplied daily as originally published or in the revised and permanent form bound only in half Russia, or part in each form, as each may elect."

Mr. HEFLIN. Mr. President, the bill which I have introduced amends the old statute upon this subject. There is general complaint amongst Senators and Members of the House of Representatives that the number of copies of the CONGRESSIONAL

RECORD now allotted is not sufficient. Each Senator has only 88 copies to distribute in his entire State. Frequently this year, as well as last year—in fact, ever since I have been in the Senate—I have had to write my constituents that my quota of the RECORD was exhausted, and I find that other Senators have had the same experience. A similar situation obtains in the House.

It has been, I believe, 30 years since the apportionment of the CONGRESSIONAL RECORD was made. The population of the country now is over a hundred million people, and certainly 300 copies of the CONGRESSIONAL RECORD to each Senator is not too much. If the Senator from Kansas would permit, I should like to have the bill considered now.

Mr. CURTIS. I will have to ask that it be referred to the Committee on Printing.

Mr. HEFLIN. Very well; but I shall ask that the bill may be considered at an early date.

The VICE PRESIDENT. The bill will be referred to the Committee on Printing.

EMPLOYMENT OF NAVAL FORCES IN NICARAGUA

Mr. BORAH. I submit a resolution and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 137), as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, instructed, if not incompatible with the public interest, to inform the Senate, first, the facts relative to the use of the Navy in Nicaragua since the recognition of the Diaz government; the extent of the naval force, both as to ships and as to men; the number of conflicts had with armed forces in Nicaragua; the number of individuals killed or wounded on either side; and such other data as will enable the Senate to have before it all the facts relative to the use of the Navy in Nicaragua; together with the report of the naval officers to the Secretary of the Navy touching matters in Nicaragua.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. SHORTRIDGE. Mr. President, I ask that the resolution may go over under the rule.

The VICE PRESIDENT. The resolution will go over under the rule.

BELLIGERENT OPERATIONS IN FOREIGN COUNTRIES

Mr. KING submitted a resolution (S. Res. 138), which was read and referred to the Committee on the Judiciary, as follows:

Whereas the Constitution invests Congress with the power:

"To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

"To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

"To provide and maintain a Navy;

"To make rules for the government and regulation of the land and naval forces;

"To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

"To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress"; and

Whereas armed military and naval forces of the United States under the command of the President are carrying on belligerent operations in and against foreign countries with which Congress has not declared a state of war to exist: Now therefore be it

Resolved, That the Committee on the Judiciary examine into and report to the Senate upon the question whether or not the Executive, in the exercise of the powers invested in him by the Constitution, has the right to employ the armed military and naval forces of the United States to carry on belligerent operations in foreign countries in cases where Congress has not declared a state of war to exist or authorized the employment of the military or naval forces in or against such countries.

THE WORLD COURT

Mr. GILLETT submitted the following resolution (S. Res. 139), which was referred to the Committee on Foreign Relations:

Whereas the Senate, on January 27, 1926, by a vote of 76 to 17, gave its advice and consent to the adherence of the United States to the Permanent Court of International Justice upon certain conditions and with certain reservations; and

Whereas the signatory states in transmitting their replies referred to "such further exchange of views as the Government of the United States may think useful": Therefore be it

Resolved, That the Senate of the United States respectfully suggests to the President the advisability of a further exchange of views with

the signatory states in order to establish whether the differences between the United States and the signatory states can be satisfactorily adjusted.

ASSISTANT PRINTING CLERK

Mr. WATSON submitted the following resolution (S. Res. 140), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to employ an assistant printing clerk from February 1, 1928, for service in the office of the Secretary, at the rate of \$1,940 per annum, to be paid from the contingent fund of the Senate, until the end of the present session of Congress.

FUNDING OF GREEK WAR DEBT TO THE UNITED STATES (S. DOC. NO. 51)

The PRESIDING OFFICER (Mr. SWANSON in the chair) laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Finance and ordered to be printed:

To the Congress of the United States:

I am submitting herewith for your consideration a copy of the report of the Secretary of the Treasury regarding the proposed plan for the settlement of the debt owed by Greece to the United States, and of the differences existing between the two Governments arising out of the tripartite loan agreement entered into at Paris under date of February 10, 1918.

The plan of settlement has my approval, and I recommend that the Congress enact the necessary legislation authorizing it for the following reasons:

It provides for the funding of the Greek war debt to our Government and for the settlement of the Greek claim for further advances under the tripartite loan agreement made during the war. While our Government is to advance some twelve millions to Greece, the loan is amply secured, is to be repaid over a period of 20 years at an adequate rate of interest, and is to be used exclusively for reconstruction work of great humanitarian as well as economic value. This loan discharges what the Greek Government has consistently contended is a legal and moral commitment of our Government.

CALVIN COOLIDGE.

THE WHITE HOUSE, February 6, 1928.

CLAIMS OF THE STATE OF NORTH CAROLINA (S. DOC. NO. 50)

The PRESIDING OFFICER laid before the Senate a communication from the Comptroller General of the United States, transmitting, in response to Senate Resolution 123, agreed to January 27, 1928, a statement of the indebtedness of the State of North Carolina to the United States upon certain bonds of the State and the claims of the State of North Carolina for advances during the war of 1812, which was referred to the Committee on Claims and ordered to be printed.

THE CHINESE PROBLEM

Mr. BLEASE. Mr. President, I have here an article by the junior Senator from West Virginia [Mr. GOFF] and an article by the junior Senator from Connecticut [Mr. BINGHAM] relating to the Chinese question, which I ask may be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post]

CHINA IS PREY OF RUSSIA, SENATOR GOFF DECLARES—SOVIET STRIKING AT GREAT BRITAIN BECAUSE OF HER GREAT INFLUENCE IN EAST—UNITED STATES INVOLVED SERIOUSLY AND VITALLY—MEANTIME WAR LORDS ARE OPPRESSING HELPLESS PEOPLE—PEACE OF WORLD AT STAKE

By GUY D. GOFF, United States Senator from West Virginia

While the news from China is not reassuring, it is not unexpected when one considers the logical flow of events in that very disturbed section of the world. As every one knows, there is a so-called Nationalist Party operating in China, and it is completely under the influence of Soviet Russia. It is not necessary to state when it so became or what so influenced it; it is sufficient to state the fact. This all came as an aftermath of the so-called Republic, which was established in 1911.

Surprising and as anomalous as it may seem, there is no government in that country; no one to-day stands out as a patriot worthy and competent to lead. There is a gradual and almost perceptible absorption and usurpation of the rights of the people by the war lords of tuchuns. Each is devoid of a love of country or a policy except as dictated by self interest and personal aggrandizement.

WAR LORDS OF CHINA

The Peking government does not function outside the walls of that historic city. Therefore the political factions of war lords who are constantly at war with each other consist prominently of the following:

Chang Tso-lin, the tuchun of Manchuria, who is now established in Peking and who is popularly known as the northern war lord.

Chiang Kai-shek, who is the commander in chief of the southern nationalist army. This party is split into two wings. He, however, heads the moderates, supporting the late Dr. Sun Yat Sen; and there is the communistic section, or nationalist party, represented by Eugene Chen and Borodin, the representative of Russia, as well as several other men of lesser note.

Feng Yu-hsiang, the so-called Christian general, exercises a great control in the northwest, but his sympathies are with the southerners, and it is difficult to determine whether he favors the right or the left wing of that party. He is at present the enemy of Chang Tso-lin.

Gen. Chang Tsung-Chang, the Shantung war lord, who is assisting Gen. Sun Chang-Fang, overlord of five southeast Provinces.

Yen Hsi-shan, the military governor of Shansi, who is generally known as the military governor of the "Model Province."

The fifth group, known as the Hankow Nationalists, is dominated by Moscow and by Eugene Chen, formerly a British subject, born in the Isle of Jamaica. This group is frankly Russian, bitterly antiforeign, and the prolific parent of most of the outrages which have been committed upon foreigners and their property in China. No good purpose is served in mentioning or discussing the characteristics of these so-called war lords or prolonging the list of those who have constituted themselves the so-called saviors of their country. Whatever they do, they are doing largely individually, and not, with the exception of Chiang Kai-shek, in response to any national movement. However, mention should be made of Gen. Yang Sen, whose seizure of the British ships precipitated the Wanhhsien incident, and also Gen. Wu Pei-fu. General Yang is the leading figure in the Province of Kueichow, and General Wu is the leading figure in the Province of Yunnan.

TWO MAJOR MOVEMENTS NOTED

It is sufficient to say that there are two major movements taking place in China to-day; one the struggle of the Chinese people to free themselves from the tyranny of the militarists; the other an organized attempt of Russia to involve China in her program of world revolution and world destruction. It is permissible, and therefore helpful, to summarize these aims and purposes as follows:

The war lords are fighting solely to maintain their respective military dictatorships, always, however, with the settled purpose of selling out at any time to the highest bidder. Gen. Chiang Kai-shek proposes to abolish the so-called unequal treaties and extraterritoriality and establish, if possible, a constitutional government based essentially upon the principles of Dr. Sun Yat Sen; and Russia aims to drive all foreigners out of China and convert the Chinese to bolshevism, with Russia, of course, paramount. This means that China becomes a Russian Province.

The Chinese people are ignorant, long-suffering, and pathetically patient. They see things from an oriental point of view. They do not think as the western nations do. Their point of view and their outlook on life, mentally, morally, and ethically, is diametrically opposite to that of the citizens of the west. The Chinese, as a nation, live in the past. They are introspective and static and never dynamic. They determine things and do things as their fathers did—not the fathers of a generation ago, but the fathers of 40 centuries ago. They are the victims of maxims, no doubt completely applicable to the times of which they were the outward expression, but in no sense useful in this prospective, progressive, and moving age.

PEOPLE CONTENT TO MEDITATE

The people of China are content to meditate and reflect and find enlightenment in what the western world can classify only as mental and moral darkness. The people of China, if I may so phrase it, orientate by facing antiquity, utterly oblivious, so to speak, that the dead past, regardless of its wisdom and its ethics, can not enlighten or illuminate the pathway of a present that is always converging on the future.

These unfortunate people—and I use this term advisedly—are reduced to-day to a state of abject subjection, where misery and red-handed anarchy rule supreme. The overwhelming majority of them are helpless, fatuous, and hopeless. They are a nation of 400,000,000 people, and 98 per cent of them are illiterate. Once they had, when it flourished in the infancy of human thoughts, a great civilization. The people never outgrew it, and it has ever failed to save them.

It is a civilization that dates back 5,000 years. Its great thinkers lived and recorded their thoughts four centuries before the birth of Jesus Christ. Its great philosophers were the contemporaries of Aristotle, Socrates, and Plato. The day of such things belongs to the sacred and the reverential past, and that it can not serve mankind as a practical form to-day is proved in the answer to the question, If the civilization of China is worthy to be copied, worshiped, and followed in this busy, practical—yes, altruistic—period of the twentieth century, what are its beneficial effects upon the people who now inhabit the continent of China; and, judging them as its finished product, what has it done for them?

The great majority of the intelligent Chinese to-day are practically unanimous in condemning this widespread misrule of the war lords.

These so-called patriots confiscate property, loot the homes and the business houses of their constituents, starve and terrorize the multitude, and make human life the cheapest commodity in all the world. In fact, during the last 16 years, since the formation of the Chinese Republic, the attempt to engrave the principles of democratic government on this helpless and hopeless people, schooled, environed, and indoctrinated for 5,000 years with every degree of superstition and dependency, has meant and will mean for some time to come death, slavery, and the visible pursuit of annihilation.

China, left alone, might have worked out in her own way an escape from her present chaos. She has not been left alone and she is not now, and she never has been free to be herself and to think out and choose her place among the nations of the world.

The Chinese people are morbidly and weakly susceptible. They are intensely sensitive and responsive to suggestion. As a people, they have neither a sense of obligation nor a spirit of forgiveness. They are easily excited, and when passion and anger hold their sway, both their graciousness and their gratitude lose all sense of memory.

RUSSIA CAUSE OF IT ALL

Russia, the malicious and the malignant; Russia, the sinister and the perfidious; Russia, always the growling, snarling, undomesticated bear, is the cause of it all. Russia is the pariah and the venomous outcast of civilization. Russia destroyed her own civilization and history will indelibly record that she can never remove this blot from her escutcheon. Russia denies the existence of a God and glorifies herself in this position. Russia destroyed the Christian home, degraded womanhood, and made the little children of her firesides the visible immortality of the race that they are, the mere pauperized pets of the State.

Russia to-day, the marionette of the Third Internationale or vice versa as the regencies may require, is training her citizens to be prowling, spying beasts, ready to devour all who may cross their track. In a word, Russia is a reversion to the Tartar from which she sprang, and she plans to dominate the Orient and the world as compensation for her self-expulsion and her self-flagellation from the family of nations.

To-day she is exploiting and using China, hoping that her disintegration will affect other countries, and so hasten the world revolution which she feels will destroy the British Empire and move the center of capitalistic influence to Moscow. Under her tutelage young China, as expressed in the student movement, is destroying the mental balance of the people. Think of an unsophisticated and student class assuming to confiscate the sayings and control and direct its elders, and if allowed to achieve its purposes, destroy not only the people but the very stability of law and order, without which no government can either be constructed or exist.

RUSSIA BEHIND LABOR DISPUTES

Russia to-day is behind every labor dispute in China; and it is due directly to her superintending and blighting influence and her millions of pounds sterling, not always logically spent even from the viewpoint of her endeavor, that trade and industry are each being gradually eliminated and driven from the land. Again the question arises: And why? And again the answer is the same; the Russian bear is always just the same unchanging brute, whether poked by a czar or a proletariat.

It wants to-day, as it has always wanted, Constantinople, and an outlet to the Mediterranean. It wants Peking and an outlet to the Pacific. It wants Delhi and an outlet into the Indian Ocean; and it wants Japan out of Mongolia, Manchuria, and Korea; and this wish is very near to its communistic, fur-encased heart. And last, but not least, it wants the Philippines and the Dutch East Indies.

It wants the white man out of the Orient that it may dominate the yellow races and compel Japan to become communistic and do the Tartar's bidding. It knows that there is no government in China except a government of organized bandits, treacherous political leaders, and traitorous military war lords. It knows that the only order existing to-day in that wide domain is the order which the fear of the military dictator instills and suppresses into those who are inspired by the simple and the ancient rule. That they should take, who dare, and that they who can should keep all that they do steal.

ENGLAND OBJECT OF ATTACK

The bolsheviks and the Chinese have agreed in singling out England for attack. They appreciate that it would be a mistake to attack all the powers at once and in their Oriental astuteness they realize that in attacking one power they will receive a certain measure of benevolent neutrality from certain of the other powers. Great Britain is singled out in China because of the preponderance of her trade as well as her great influence as a colonizing and elevating force in the East.

The Chinese problem and its solution is of world-wide interest, and in my judgment, this solution is essential to world peace. The stability of our present civilization, morally, religiously, and commercially, and the security of the generations yet to come, depend upon the correct solution of this problem. This bolshevik influence in China expressing itself in the desire for "self-determination," appeals so strongly to certain of the political, the philosophical, and ethical idealists in America

and Europe, that many of them are now openly and frankly communistic and antiforeign without appreciating where their sentiments and their emotional inspired thoughts are leading and, in fact, have led them.

As the press reports from day to day indicate, the tide of battle sweeps on, bringing victory north or south of the Yangtze as the dice or the dollars may fall. One party advances only to retreat. One war lord after another sells out and expatriates himself from his country because he has become a millionaire and therefore ceases to be a communist. The people suffer, their homes are looted and burned; and they are impressed into the army as bandit warriors or they are requisitioned as mere beasts of burden for the looting soldiery. The entire world is personally interested and deeply concerned. The world is involved ethically, morally, religiously and, least of all, commercially.

UNITED STATES ALSO INVOLVED

Great Britain, Japan, France, Holland, Italy, and the United States are obviously, seriously, and vitally involved. What these countries will decide to do is not embraced within this interview or in any opinion here expressed. These nations are confronted with the necessity of choosing between friendly, immediate, inexpensive intervention or a future costly, devastating, horrible war.

These nations to-day are drifting timidly and consciously along the line of the least resistance. These nations to-day are knowingly following and advocating the policy of negativity. These nations, like the hermit crab, are living in the shell of "watchful waiting," seemingly oblivious to the fact that logically negativity always achieves the very converse of the object sought.

Many say that intervention is as impossible as it is impracticable. Many say that China should be allowed to work out her own destiny. Those who so argue suffer from and are enmeshed in the fallacy of reasoning by analogy. China has tried for 16 years to find a George Washington to lead her out of a wilderness of howling, looting, bribing, grafting chaos, and neither by night nor by day, in answer to her pathetic cry, "Come over into Macedonia and help us out," has there ever been an answering voice or an echo to her cry.

IS CHINA TO DIE ASKED

Is China to go on slowly committing national and racial suicide? Is civilization doing its duty when it stands placidly by and sees a great people helplessly, hopelessly, and supinely rushing to its ruin? Does civilization answer the test when it does not step in for the sake of humanity and aid those who can not help themselves? Am I to refrain from preventing a suicide merely because certain schools of thought proclaim that every individual has the right to do with his life as he sees fit?

Is the present civilization of which we boast worthy of the name or worthy of continuance if it allows a nation not only to destroy itself by ruthlessly murdering its inhabitants but to destroy its relationship and its place in the family of nations?

In a word, does civilization transgress or commit evil when it says, "You have tried for 16 long years to find your way out, to find even a pathway that leads to the road that brings you to the light, and you have not only failed but in your failure you have brought waste, rapine, and ruin upon a peaceful and prosperous people, and you are also bringing utter and hideous destruction upon those who have the right to look to you for security, salvation, and the right to live?"

These are the questions which the Chinese problem includes, and upon their correct answer lies the immediate salvation and the future welfare of more than a billion human souls and the peace and prosperity and the continued liberty and happiness of the entire world to-day.

FAMILY LOYALTY—THE CHINESE PROBLEM

By HIRAM BINGHAM, United States Senator from Connecticut

(The United States Senator from Connecticut, by reason of his early associations, has an understanding of the Chinese which varies considerably from popular feeling on the subject. This article results from a recent trip to the Orient.)

My first impressions of the Chinese were gained more than 40 years ago, when I was a boy in Honolulu. My father and mother had several warm friends in the Chinese colony. My first photograph album contains the picture of one of these Chinese friends who endeared himself to me by his habit of making attractive presents to little boys, a not uncommon Chinese trait. Some of the nicest and most valuable presents I treasured in my childhood came from Chinese friends. When I was old enough to celebrate the Chinese New Year by making calls on the Chinese shopkeepers, rice planters, and vegetable gardeners of my acquaintance, I was naturally delighted to find them very generous not only with goodies and delicious confections but also with packages of firecrackers, which were usually carefully treasured for use on the succeeding Fourth of July!

The best cooks in Honolulu were Chinese, and I always considered it a privilege to be invited to partake of the delicacies prepared by Ah Sam, Ah Sing, or Ah Fat. Their soups, curries, and gravies were unexcelled. Not until my recent visit to China, however, did I realize

that the variety and delicacy of dishes at a family dinner party in Peking can only be equaled in Paris or in some great hotel whose chef learned his lessons in France.

As a boy I had known the Chinese as generous, kindly, courteous, and faithful. No prejudice against them was ever expressed by the members of my family. Nevertheless, I was not prepared for the elaborate courtesy shown by conservative Chinese in their own homes to-day. We busy, hurrying westerners have much to learn about the amenities of life from the true followers of Confucius.

Every visitor to China is familiar with the fact that whenever one calls on a Chinese gentleman one is treated with courtesy and hospitality. It was not, however, until I spent several days in the interior of the Province of Shansi and had an opportunity to come into personal contact with conservative gentlemen of the old school that I realized the extent to which Chinese kindness can go in providing for the physical wants of a visitor as well as in making him feel spiritually welcome. The weather was fairly warm, the roads were dusty. One came to appreciate fully, not only the excellent fresh tea which was served continuously, but also the moist, delicately perfumed individual hot towels offered to each guest as soon as he arrived and at refreshing intervals. At first it seemed a little strange that no dry towels were offered afterward, but actually the evaporation of such fragrant moisture as was left on face and hands proved cooling and delightful.

A pleasant drink and a chance to bathe one's hands, however, are not unusual forms of hospitality all over the world, although nowhere have I ever found it so invariable a custom as in China. In Shansi, however, courtesy went farther. On various occasions I was taken to interior towns and cities to visit temples or to see the private collections of wealthy Chinese connoisseurs. In each case we were met outside the walls by our hosts, who likewise walked back with us through the dusty streets until we reached our motor cars.

The climax came on the evening in which I had been invited to dine with Governor Yen, an ardent Confucian. The dinner was set for 7.30. Shortly after 6.30, at the end of a long day of dusty travel, while I was in my bath, one of the hotel servants rushed up to my room in a great state of excitement to tell me that Governor Yen's automobile was waiting for me at the door and that I must go to the governor's Yamen at once. Owing to my ignorance of old-fashioned Chinese etiquette I took this message seriously, and was much distressed that I could not possibly go immediately. Slipping on a bathrobe I looked out of the window to see what kind of a car the governor had sent, only to observe it rapidly driving back to the Yamen. This was a relief. Evidently the driver had made a mistake. So I proceeded leisurely with my dressing. Twenty minutes later one of the hotel "boys" again rushed excitedly into the room to tell me that Governor Yen had telephoned his disappointment at my nonarrival and his desire to have me come at once. It was still half an hour before the time set for the dinner and Governor Yen's English-speaking secretary, who had been with us all day, had definitely promised to come for us in one of the governor's cars at 7.30. We were puzzling over this second message when some one suggested that it was merely the old-fashioned Chinese custom which required the courteous host to send two or three messengers at intervals before the time set for dinner, urging the guest to come immediately, chiefly to assure him that his arrival was eagerly awaited. Of course, the well-bred guest would never embarrass his host by really arriving ahead of time. The idea was merely to make him feel that the invitation had not been a cold formality, but that a true welcome awaited him. Surely hospitality could go no farther.

There are Americans in China who treat the Chinese as social equals and have learned that there are no more delightful hosts or dinner guests than well-bred Chinese. There are others, on the other hand, who never invite them to dinner and who insist that no Chinese gentleman shall cross the threshold of the Shanghai Club. "Old China hands" have threatened to resign from the clubs they founded, if a rule were adopted making Chinese gentlemen eligible for membership, or even eligible to be brought into the clubs by members as luncheon or dinner guests. This snobbish custom seems to have been brought to China by the British from India. It has been copied by those Americans who believe it best to follow in English footsteps. It is deplored by many of both nationalities. It is to be hoped that liberalism will soon prevail.

In dealing with the Chinese it would seem to be the part of wisdom to follow so far as we can the dictates of courtesy and good breeding according to Chinese standards. The American Club in Shanghai has recently set a good example in this particular.

It is easy for us westerners to criticize the Chinese because their standards of right and wrong are not our standards. They put family loyalty and private welfare far ahead of patriotism and the public welfare. In fact, only an infinitesimal part of the Chinese people appear to have the slightest conception of what is meant by the term "the public welfare." To them whatever will benefit the family and its members is right. Whatever hurts the family is wrong. Consequently, the Chinese official who looks after his relatives at the expense of the state is right, while the Chinese official who permits the members of

his family to suffer while he serves the state is wrong, wholly wrong, inconceivably wrong.

The same ethical attitude makes it practically impossible for Chinese joint-stock enterprises or business corporations to succeed. It is ethically the duty of the directors to look after their families. Similarly, it is the "duty" of the employees to provide for their family needs. Neither directors nor employees have any conception of the western attitude of loyalty to a corporation. The same thing was true of our own ancestors during the Middle Ages.

This fundamental difference between the orientals and the occidentals of to-day virtually makes it impossible for the Chinese Republic to copy successfully the political institutions of Europe or America. Our Government is possible only because good citizens are willing to serve it honestly and faithfully, even when this service requires the subordination of family interests. Since that concept is virtually nonexistent in China it is easy to see why the Chinese Republic does not function successfully, has no president, no legislative body, and has not had for several years.

The nations of Europe and America are partly responsible for the present condition of affairs in China. We have introduced western methods of trade and commerce based on conceptions quite at variance with those of the Chinese. In America there are more jobs than hands to do it with; consequently, we have invented labor-saving machinery. China has more hands to do it with than things to do; consequently, when labor-saving machinery is introduced it means unemployment, starvation, and disaster to thousands of people.

Furthermore, we have taught visiting Chinese students the art of government based on a wholly different habit of mind and thought from that to which the Chinese have been accustomed for centuries. Their efforts to put our theories into practice have failed.

We have taught them political "science" when politics is really an art, not a science. A science is something which is true in all lands, like the multiplication table or the laws of gravity, while that form of government which works in Connecticut will not necessarily work in Nicaragua or even in North Dakota; and not at all in China.

An able student of Chinese politics who has lived in China for a quarter of a century and who is well conversant with Chinese public opinion and political thought told me that the basic fact in the Chinese political problem is the apathy of at least 400,000,000 Chinese, who not only are not democratic in their political thinking and practices but have no conceptions and no conscious interest such as could lead them to become a democracy. At present, and for centuries past, their chief interest, almost their sole interest, has been family and clan welfare. It would seem as though the quickest way to bring the Chinese people up to the point of interest in and fitness for popular government would be for a number of provincial or regional governments to be established, each small enough for its people to see its working and to realize that it is not a vague abstraction but a piece of machinery that works for them and gets results, that improves their farming, their commerce, and their other activities.

I believe that the United States ought to take the initiative in an effort to induce the several warring groups in China mutually to agree to respect certain boundaries and each to form a government within its own boundary and confine its efforts to solidifying that government and to increasing productiveness in its own area. We could offer to place a diplomatic commissioner within each such area to help with advice and friendly counsel. We might lend the weight of our good offices to those governments that were willing to assume their share of existing national obligations.

It may be objected that any such arrangement is not practicable at the present time. I talked with a number of "old China hands" and their friends, who believe that an expeditionary force of 100,000 trained western troops could easily pacify China and by policing railways and rivers bring back the good old days of profitable trade. I do not agree with them. I believe that such an undertaking would greatly promote the growth of that very antiforeignism which has been fostered so carefully by Russia and her agents. It would cause widespread boycotting of all foreign goods. It would be followed by a period of widespread guerilla warfare. Hundreds of thousands of Chinese soldiers would become bandits. Armed bands of marauders would, if anything, put China in worse chaos than it is in to-day. Furthermore, it would tremendously hamper the efforts of the wisest Chinese bankers and merchants, who wish to bring China back to normal, peaceful conditions.

On the other hand, I have listened to missionaries and students, who assured me that the great mass of the Chinese people were as intelligent as the great mass of the American people; that our policy of protecting American lives and property in the treaty ports threatens to forfeit the high regard which the Chinese people had for America; that, while heretofore military leaders have been handling political affairs, "the prospect now is that the people themselves will soon assume control"; that China can easily put her house in order if foreigners would only keep their hands off, get out, and abrogate the special privileges which they have enjoyed under the "unequal treaties." These statements and claims I believe to be just as wrong and unwise as the claims of the "old China hands" that China can be pacified by foreign troops.

The group of Nanking missionaries who issued a statement several weeks after the Nanking outrages of March 24 had a remarkably clear grasp of the situation when they said that "the securing of equal recognition in the family of nations depends more upon the Chinese's own efforts than on the foreign governments * * * foreign nations have taken actual steps in meeting Chinese claims and are agreed to go further."

"But the Nationalists' government has not kept its promises nor fulfilled its obligations. * * * We have favored the return of concessions to China, but to-day a foreign settlement is our only place of refuge. We have assured our people abroad that the Nationalist movement was not anti-Christian nor antiforeign, but now we are driven from our homes and dispossessed of our property. * * * Everything we have said in behalf of the Nationalist movement is made to appear false. * * * We know there are many Chinese people who see these events as we do and who sincerely regret them. But regret and good wishes are not sufficient. Those sections of the Chinese people who really disapprove of the conditions we have pointed out should find some way to make their influence and good will effective."

As a matter of fact, violent antiforeign agitations have occurred repeatedly and appear to be widespread in central and southern China. Christianity and the Christian religion are being persistently and systematically attacked. Their leaders are being maligned and persecuted, their properties are being desecrated, looted, and seized, notwithstanding promises of protection by the Nationalist government.

I do not mean in any way to charge the leaders of the Nationalist government with bad faith. I believe that they sincerely desire to deal honestly and fairly with their foreign friends. On the other hand, it is obvious that their armies are so badly disciplined that they can not prevent their soldiers from taking possession of foreign property, looting, robbing, and burning. Furthermore, they are in most cases quite helpless in the face of mob violence caused by agitators and demagogues seeking their own selfishness. Nevertheless, the leaders of the Nationalist movement are chiefly to blame for the nature of the teaching which they have countenanced for the past few years. This has been destructive rather than constructive, charged with hatred rather than brotherly love, marked by envy, jealousy, covetousness, and greed rather than by farsighted patriotism and altruism.

"Chinese history alternates between good government and anarchy," said the late Doctor Sun Yat Sen, hero of the Nationalist movement, in his famous book, *The Three Principles of the People*, "and in times of anarchy there has always been the struggle for imperial power. Foreign countries have always fought battles either for religion or for freedom, but in China, during these thousands of years, the question fought over has always been imperial power." This would seem to be a fairly accurate diagnosis of the present situation. Certainly the greater part of the Chinese generals are to-day fighting not for a principle but for imperial power. The fact that they do not openly so state may be due to the last paragraph of lecture seven in *The Three Principles*, where Doctor Sun says: "Each time in Chinese history when the government has changed, those who had great military power contended for the throne; if their armies were smaller they sought to be kings or princes. To-day no one in the army, whether high or low, dares attempt to be even a king or a prince. This is a step forward as far as quarrels in history are concerned." It is said that Chang Tso Lin would like nothing better than to establish a dynasty, particularly as he has an attractive and energetic son and several husky little grandsons. Although some of his followers have urged him to assume imperial power, he has been content hitherto with gradual promotion from the rank of general to marshal and during this past year from marshal to generalissimo. Rumor has it that the imperial robes of office have been ordered.

Nevertheless, it seems foolish to expect China to become a unified nation, in the Western sense of the term. I am inclined to agree with Doctor John Willis Slaughter when he says in his recently published *East and West in China*: "Representative government must make its beginning in the villages, expand to areas not too large for the personal character and influence of the gentry to be lost to view, and then develop into representative provincial government. China must in the end be a federation of Provinces on a system of representation which should, for a long time, be as simple as possible. * * * It is natural that China, involved in the circumstances of effecting a change, should imagine that all good things can be made to flow from a wise and powerful central authority. There is no basis in history for this expectation. National achievement rests with a people, and not with a government. No people have proved this in a more impressive manner by their past than have the Chinese. Some day Chinese leadership may produce a genius who realizes how very little government China needs. At that point she will have mastered the first and greatest of all political lessons."

China has four times as many people as the United States. Her people differ from one another as do the peoples of Europe. Her culture is largely medieval. Only a small percentage of her people can read. The educated classes of the different countries of Europe in the Middle Ages could read the same language, though they could not

understand one another's ordinary conversation. So it is in China to-day. Medieval Latin was spoken by relatively few people; so with classical Chinese.

Modern China is just about as cohesive as Europe was in Middle Ages. The Holy Roman Empire crumbled. China appears to be falling apart. Medieval industry was largely a family affair; so it is in China to-day. It took the people of western Europe several centuries to emerge from the Middle Ages. Yet their culture was not nearly so old and firmly established as is Chinese culture. China is not likely to become westernized in our day. Family loyalty is not likely to give way suddenly to patriotism.

MUSCLE SHOALS

Mr. WILLIS. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the American Farm Bureau Federation touching the Muscle Shoals proposition.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN FARM BUREAU FEDERATION,

Washington, D. C., February 4, 1928.

Hon. FRANK B. WILLIS,

Senate Office Building, Washington, D. C.

DEAR SENATOR WILLIS: Apparently Senator NORRIS entirely missed the point of my argument when he read to the Senate last Wednesday portions of my letter of January 31, setting forth the reasons why organized agriculture is unable to accept the Senator's proposal for the operation of Muscle Shoals.

Senator NORRIS proposed to turn over to the American Cyanamid Co. nitrate plant No. 2 without charge; to furnish at cost all the power needed to make fertilizer to the full capacity of the plant; and to remove the 8 per cent limit on fertilizer profits, provided the company would agree to operate to capacity during the 50-year term of the lease.

We are informed that the American Cyanamid Co. would be willing to accept this proposal, if Senator NORRIS is in position to deliver. What I tried to indicate in my letter was that the American Farm Bureau Federation could not accept such a proposal because it carried no provision for limitation of profits and therefore no limitation on fertilizer prices. I indicated in the hearings in Senator NORRIS's presence that our chief fear is that new and cheaper fertilizers will be so held in monopoly control that without a limit on profits prices to the consumer will be reduced very little. This principle of profits control is a very important one to us.

Senator NORRIS naively told the Senate that he would cure this objection by inserting in his proposal the 8 per cent profits limitation. Evidently he has not given the matter much thought from a business standpoint. It must be self-evident that with profits limited to 8 per cent in the good years and perhaps disappearing entirely in bad years, there must be some offsetting adjustments to make up for this restriction. That is why a small amount of surplus power must be rendered available to the company for other uses. But under the terms of the Willis-Madden bill this additional power is bought and paid for at a price that fully compensates the Government.

Furthermore, Senator NORRIS evidently does not realize what he is promising when he offers "all the power needed to produce fertilizer to the full capacity of nitrate plant No. 2." Including the electric current needed to produce phosphoric acid to mix with the nitrogen to make it usable, a total of not less than 280,000 continuous horsepower is required. The continuous power available at the present Muscle Shoals Dam is only 82,000 horsepower. To get the required horsepower the Cove Creek Dam as well as Muscle Shoals Dam No. 3 must be built and the present steam plant enlarged 50 per cent to change some of the secondary power into continuous power. With these new installations called for in the Willis-Madden bill a total of about 300,000 primary horsepower would be available at Wilson Dam and Dam No. 3, according to statements of United States Army Engineers. This is barely enough to operate the Muscle Shoals fertilizer plants to capacity. Whatever extra power the American Cyanamid Co. would get would be mainly intermittent secondary power, but would include perhaps 40,000 horsepower primary power at Cove Creek, and possibly a total of 20,000 horsepower at the three small dams on the Clinch River, which under the terms of the bill as amended by the Military Affairs Committee of the House the company would build at its own expense. This Cove Creek power is to be paid for at a rate giving the Government a profit on its investment and the other three dams built on exactly the same terms as power companies are building all over the United States without any question of Government concern or restriction being raised.

All the talk about 1,250,000 horsepower in connection with this development is mere talk and is chiefly useful in obscuring the real issues involved.

The above are matters of engineering fact which can be readily demonstrated. But we differ with Senator NORRIS on another and somewhat less tangible principle. He insists on Government operation. We believe in private operation wherever possible. We believe that a private company will produce power cheaper than the Government is able to do it with the various limitations imposed. The Government's

best service in this matter is, we believe, to lend its credit in hiring the necessary capital to build the dams and power houses at a rate much lower than private parties can hire capital. This is a big contribution toward low power costs. Beyond that point private initiative is likely to operate more economically.

These are the considerations that have caused us to evolve the Willis-Madden bill. This bill does exactly what Senator Norris says he wants to do in the way of producing cheap fertilizers at Muscle Shoals, but takes into consideration engineering and business facts which Senator Norris seems to have ignored. We trust that further study of these points will cause Senator Norris to support the Willis-Madden bill if he sincerely desires a practical, businesslike, and speedy solution of the Muscle Shoals problem.

Very respectfully,

AMERICAN FARM BUREAU FEDERATION,
CHESTER H. GRAY,
Washington Representative.

ANNIVERSARY OF TREATY WITH FRANCE

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the Record an article appearing in the New York Times yesterday concerning the one hundred and fiftieth anniversary of the treaty between France and the United States.

There being no objection, the article was ordered to be printed in the Record as follows:

[From the New York Times, Sunday, February 5, 1928]

HOW OUR FIRST FRENCH PACT WAS SIGNED—A NEW TREATY WILL BE CONCLUDED ON ONE HUNDRED AND FIFTIETH ANNIVERSARY OF FRANKLIN'S

In a fire-lit room in Paris just 150 years ago to-morrow four men sat about a paper-strewn table. Three of them were of early middle age, elegantly turned out, with their hair punctiliously powdered and curled. The fourth was past 70, his ponderous form clad in plain velvet, his thin gray hair straggling down from his massive bald head. But his face, in which shrewdness, wit, and benignity seemed to meet, was probably for the moment one of the most frequently pictured in France.

The one Frenchman in the party handed him a pen. He drew forward two bulky documents engrossed in duplicate and painstakingly set on them his name, "B. Franklin." Then he passed them on to his two American colleagues, Silas Deane and Arthur Lee, and going over to the fireplace chatted a few moments with the French official, Conrad Alexander Gerard, secretary of the council of state. The other Americans signed and sealed. M. Gerard gathered up the documents and gave them to Franklin. With a bow and congratulations on the event, he took his leave.

A GREAT MOMENT

The three Americans looked at one another. There was little doubt in their minds, or, in fact, that the American Revolution was won. Here in this obscure room they had signed for the new Nation its first treaties with a foreign power. France had not only recognized the United States and instituted trade and consular relations in the "treaty of amity and commerce," which they had been commissioned by their Congress to obtain; she had gone further. In a "treaty of alliance, eventual and defensive," she had anticipated making common cause against Great Britain with the United States.

French ports would now be freely open to American warships and sea raiders—to Wickes and Conyngham, and to John Paul Jones, who a few days later was to receive in a French harbor the first foreign salute to the American flag. Soon a French fleet, along with munitions, was to be on its way to aid the beleaguered United States.

February 6, 1778, marks a turning point in American history as decisive as any military victory. It marks as well the beginning of diplomatic relations between France and the United States. Had this year's Franco-American negotiations for renouncing war gone promptly through, it was the graceful suggestion of France that the new treaty should be signed to-morrow, on the sesquicentennial anniversary of the first.

For, oddly enough, France and America find themselves to-day, exactly as a century and a half ago, in process of making two treaties, one as to trade relations, the other as to the more general status regarding peace and war. But the circumstances are vastly different. In 1778 the emissaries of the thirteen Colonies, practically cut off from communication with home, had lingered in Paris a year, with instructions from their Congress to bargain and compromise and make the best terms they could to gain a mere trade agreement with France. In that time the taking of Philadelphia and defeat after defeat of Washington's arms at home had made their cause seem more and more hopeless.

How events operated with the persuasive personality of Benjamin Franklin to put through that first French treaty is one of the most colorful romances of American history. On the one hand was the far-playing, extravagant court of Louis XVI and Marie Antoinette, devoted to the principle of monarchy. On the other were the three American

commissioners, with no especial bonuses or privileges to offer. There was Silas Deane, a Connecticut farmer, none too practiced in diplomacy, and afterwards, probably unjustly, accused by Congress of diverting money to his own use. There was Arthur Lee, of Virginia, the arch-trouble maker, not yet 40, who served as a kind of counsel, having practiced law in England. And finally there was Benjamin Franklin, scientist, inventor, writer, printer, publisher, cosmopolite.

Medallions, medals, busts, portraits, and prints of him in all shapes and sizes were broadcast throughout Paris; there was hardly a family that did not have one of them over the fireplace. When he attended the Parliament of Paris, according to Silas Deane, "he passed through the crowd to the seat reserved for him amid the acclamations of the people—an honor seldom paid to their first princes of the blood."

But celebrity and diplomacy could probably have done little had there not been other powerful influences working for the American cause. First among these was doubtless the general French desire for revenge on Great Britain. For almost a century she had intermittently fought Britain for colonial empire, and by the peace of 1763 she had bitterly lost. She had been pushed out of India and the continent of North America.

It must also be remembered that though the King and court were unalterably monarchical, many of the people through the writings of Voltaire and the encyclopedists had long been imbued with the fundamental ideas of the rights of man. The explosion of the French Revolution was little more than a decade away, and thousands felt a vicarious joy in the American independence of the Old World forms.

BREACHES OF NEUTRALITY

So strong were these undercurrents of sympathy that the French Government had already condoned many a breach of neutrality. Chief among these was of course the supplying of munitions to the Americans by a firm of Spanish name, really conducted by the ardent Beaumarchais, who obtained many of his wares from Government arsenals. France also, under one pretext or another, allowed Paul Jones and his fellow privateers to refit in her harbors. And she permitted officers from the royal army to seek commissions in America.

It was some of the French King's own powder and shot, furnished via Beaumarchais, that by defeating Burgoyne finally probably forced the hand of Louis XVI in recognizing the Americans.

On Thursday, December 4, 1777, a carriage rolled up before Franklin's chateau at Passy, a suburb of Paris. Franklin, who had heard rumors of its arrival, rushed out to meet it. A young Bostonian envoy named Austin stepped hastily out.

"Sir," cried Franklin in an agony of suspense, "is Philadelphia taken?"

"Yes, sir," replied Austin.

Franklin clasped his hands and turned silently back toward the house.

"But, sir," pursued Austin, "I have greater news than that. General Burgoyne and his whole army are prisoners of war."

"The news," said Silas Deane afterwards, "was like a sovereign cordial to the dying."

Throughout France the news of the Battle of Saratoga was hailed as if it were a victory of French arms. On December 12 the French ministers met and on December 17 Gerard notified Franklin and his colleagues that the King was ready to make a treaty.

For the next few weeks the commissioners conferred. The first treaty of "amity and commerce" was substantially that which the Americans at the instance of Congress had first proposed. It had 31 articles, and gave each party "most-favored-nation" treatment in the ports and markets of the other. It went into the most minute details of fishing rights, mutual protection against pirates, and ships wrecked on shores of the other nation. In the second treaty of alliance against Great Britain the two countries mutually guaranteed to each other their present possessions in the Western Hemisphere. In case of conquest the United States was to have Canada and the Bermudas; France, islands in the Gulf of Mexico or near by.

Six weeks later the treaties were announced, and the Americans were presented to the King. Rigid requirements for court costumes were made for this ceremonial, and it is said that Franklin did his best to comply. He ordered a wig, but when it came it was not large enough, and none bigger could be found in Paris. So finally, in defiance of all rules, he drove to Versailles as he was, without wig or sword, in his plain black velvet suit with the white ruffles. The commissioners were, however, attended by a suite and many servants in gorgeous French liveries. In the court yard a regiment was drawn up.

CHAT WITH MARIE ANTOINETTE

According to Arthur Lee, the King was as little garbed for the occasion as Franklin. Indeed, he "had his hair undressed hanging down on his shoulders; no appearance of any preparation to receive us, nor any ceremony in doing it. The King appeared to speak with manly sincerity," assuring Congress of his friendship.

After that Franklin was the center of one fête after another. That night, according to Madame Campan, quoted by Parton, "the envoys went by particular invitation to the 'Jeu de la Reine,' where they found the royal family seated at play around a large table; a con-

siderable heap of louis d'or lay before each of the players, and from the number of these the gaming appeared to be high. On this occasion Doctor Franklin was honored by the particular notice of the Queen, who courteously desired him to stand near to her, and as often as the game did not require her immediate attention she took occasion to speak to him in very obliging terms."

Soon after came Franklin's meeting with Voltaire, and other celebrations of the alliance in the French manner were not wanting.

ADDRESS BY PRESIDENT COOLIDGE—DEDICATION OF NATIONAL PRESS CLUB BUILDING

Mr. RANDELL. Mr. President, I ask unanimous consent to have printed in the *RECORD* a very interesting address delivered by President Coolidge on Saturday night last on the occasion of the dedication of the new building of the National Press Club in Washington, D. C. Before the order is made for printing the address in the *RECORD* I desire to say a few words on the same subject.

The **VICE PRESIDENT.** Without objection, the Senator from Louisiana will proceed.

Mr. RANDELL. Mr. President, the newspaper correspondents in Washington, acting through the National Press Club, have brought to a successful conclusion a very remarkable undertaking. They have erected a monumental building in the Capital which is to be the great nerve center of the press of America. From this great building more telegraphic news is destined to emanate than from any other one spot in the world.

The Federal Government is peculiarly dependent upon the press. The success of most of its constructive efforts depends to a high degree upon the publicity given them. That the press cooperates with the Government to an extent above and beyond the sheer news value of the subject matter is demonstrated daily.

The President of the United States on Saturday dedicated the beautiful building which is such a credit to our great publishing industry. He made a most interesting address on that occasion, which I have asked to have printed in the *RECORD* as a part of these remarks.

In addition, I wish to say that I have been in close touch with the development of this building project. I happen to know that a great many difficulties have had to be overcome in connection with this endeavor and that the press of the Nation and the Congress owes a great debt of gratitude to the group of correspondents who, with the aid and counsel of public-spirited bankers and business men, have been so conspicuously successful in this enterprise.

With its improved facilities and greater resources, the National Press Club is in a better position than ever to serve as the instrumentality in the Capital for the press of the Nation.

Mr. HEFLIN. May I ask the Senator from Louisiana a question?

The **VICE PRESIDENT.** Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. RANDELL. I yield.

Mr. HEFLIN. Is that the address in regard to which the *New York World* and the *New York Times* criticized the President this morning?

Mr. RANDELL. I do not know about that, but I read it yesterday very carefully in the *Washington Post*, and it is a most admirable address in every way, I think. I approve everything that the President said.

The **VICE PRESIDENT.** Is there objection to printing the address in the *RECORD*?

There being no objection, the address was ordered to be printed in the *RECORD*, as follows:

ADDRESS OF PRESIDENT COOLIDGE AT THE DEDICATION OF THE NEW BUILDING OF THE NATIONAL PRESS CLUB IN WASHINGTON, D. C., SATURDAY, FEBRUARY 4, 1928, AT 10 O'CLOCK P. M.

Mr. Chairman and fellow members of the National Press Club, while I have been a member of this club ever since I have been in Washington, it is seldom that I have had the opportunity to visit its quarters. Although I have not done much on your staff as a reporter, I have acquired a fairly good record as a contributing editor, and, though I have not written many stories, I have nevertheless had some success in the making of news. Even with all the ingenuity that characterizes the press of the present day, most writers are dependent upon some real news as a source of inspiration for their reporting.

Aside from the office which I hold, these accomplishments might be assumed to be some warrant for asking me to participate in the dedicatory exercises of our new club building. We are located here on one of the most important corners of the business section of the city of Washington. This site is historic ground. For a considerable time it was associated with the journalistic profession. The easterly side of Fourteenth Street, between F Street and Pennsylvania Avenue, was formerly known as Newspaper Row. The building on this corner

was used by newspapermen from shortly after the Civil War until the early seventies, when it was torn down to make room for the famous Ebbitt House. In that hotel lived many eminent men who reached national prominence during the succeeding generation. That old house and some of its neighbors gave way to provide the location for this magnificent building. It has a frontage of 270 feet on F Street and 150 feet on Fourteenth Street, and occupies nearly a whole acre. The corner stone was laid in the spring of 1926, and this great structure of composition limestone, steel, and concrete, as near fireproof as possible, rising 14 stories, was completed late last year. It has a large moving-picture theater and there are stores and offices around the auditorium and the stage.

In the rest of the property there are located 1,000 individual office units. Already more than 400 newspapers are represented in this building, although some of the correspondents are connected with more than one publication. The National Press Club occupies the larger part of the thirteenth and all of the fourteenth floors, giving it a floor space of 27,000 square feet. The club has a large auditorium, with a seating capacity of close to 1,000, spacious dining rooms, and a library capable of holding 5,000 books. The other facilities are such as are characteristic of a first-class club.

It is hoped by the management that this property, valued at about \$10,000,000, may be free from incumbrances within 25 years. Its income will then be devoted to the benefit of the National Press Club, which will be in possession of more than \$500,000 of income each year. It is planned to give awards for journalistic achievement and use the surplus profits of the property for the promotion of the general welfare of the newspaper business. The journalistic profession as it is represented in the city of Washington lends itself especially to a movement of this kind. Like everything else connected with the Government of the United States, it has had a very remarkable growth.

It is said that it was not until 1796 that any newspaper was published here. After struggling along a little more than a year with his semiweekly, Benjamin More, a bookseller, who was the proprietor of the enterprise, announced: "The *Washington Gazette* will not be published again until the publication is attended by some profit to the publisher." In October of 1800 a triweekly, called the *National Intelligencer*, was started, and 13 years later became a daily. Ever since that time the disputes between certain Members of the Congress and those reporting its proceedings have been chronic. The *Evening Star* was founded in 1852 and the *Washington Post* in 1877. The *Herald*, *Times*, and *News* are of much more recent date.

But this organization exists not so much on account of the local and powerful press of this city as because of the large number of correspondents who are here from all parts of the Nation to report the doings of the Federal Government. This, too, has been a remarkable growth. In 1862 the Senate press gallery listed only 13 correspondents. In that year Whitelaw Reid managed the *Washington bureau* of one of the *New York dailies*. It was more the practice in that time for one man to be employed by a number of papers. At the present day there are about 500 correspondents here, connected with the press all over the world. Some of the metropolitan dailies have as many as nine on their local staff.

It is this condition that has made possible the establishment and growth of our National Press Club. An effort was made in this direction as early as 1867 by a social organization made up entirely of local newspaper men, known as the *Washington Press Club*, which was in existence several years. In 1892 the local newspaper men started the *National Capital Press Club*, which gave some notable entertainments, but was later disbanded on account of financial difficulties. The present National Press Club dates from 1908. Its purpose was to provide an organization and gathering place in Washington for the benefit of newspaper men throughout the country. It has made steady progress until it has a resident membership of nearly 1,100 and a non-resident membership of 800. In the character and importance of the news which it reports, in the power which it represents, its opportunities surpass those of any other press club in the world.

It is possible to see in this spacious building, so magnificently equipped, a symbol of the development of the whole United States. The old, the outworn, the poorly adapted, has been discarded and removed to make place for the new and the modern. It represents an increase in power, not by any means limitless, but very vast. The process has transformed our Press Club into a great business institution. Something analogous to this has taken place in the journalism of our country. The press itself, by the very force of circumstances, in order to survive has been changed from an organization of partisan and personal opinion into a very great commercial organization. It has become much more important, in fact indispensable, to the business enterprise of the country, but appears to have lost very much of its power as a director of public thought. There are so many other avenues of information that people are much less dependent than formerly upon the press for their knowledge of men and of affairs.

Now, that the transition has been made through various consolidations, and through the elimination of the unsuccessful, the journalism of the United States has on the whole established itself according to the new standards upon a profitable financial basis. It ought to under-

take to recapture the dominant position it formerly held as a distributor of current information and a director of public opinion. It ought to contest with our universities as an influence for education and match the pulpit in its support of high moral standards.

In a republic the field which is open to the press as an instrument of clean and sound government is limitless. It ought to be the supporter of efficient local administration and wise national statesmanship. In international affairs it should cooperate with its own government and extend to foreign interests a tolerant and sympathetic candor. Foreign interests have the privilege of being represented here. The right to fair treatment is as wide as humanity. But when foreign governments are represented here their agents are required to come publicly accredited and be publicly received. For generations our law has forbidden our own citizens entering into any negotiations with a foreign government concerning its relations with our own Government. Such negotiations can only be carried on under the direction of the President. Whenever any of the press of our country undertake to exert their influence in behalf of foreign interests, the candor of the situation would be greatly increased if their foreign connections were publicly disclosed. All public business ought to be publicly conducted.

One of the strongest safeguards of the integrity of official action is publicity. This does not mean an espionage of all personal and private action of Government officials, but it does mean publicity concerning the discharge of the duties which they have chosen to perform. All those who have interests which may be affected by governmental action should have the privilege of employing representatives to present their cause and defend their rights. Nobody questions this on the judicial side, but those who are so engaged are required to be licensed and their appearance before such tribunals is a matter of court record. As in the case of the Federal Government those who are analogously employed in legislative and departmental matters are not required to make a like disclosure of the interests which they undertake to serve; it is necessary to depend on the press for such information.

It is, perhaps, stating the obvious to say that the press should be patriotic. This does not require any disparagement of the advantages which other people enjoy in their own country. Whatever it may be in some individual cases, other countries are best adapted to the people as a whole who live there, and our country is certainly the best country for our people. The freedom enjoyed here, the institutions of self-government, the protection of the individual, the standards of living, the comforts and even the luxuries, the unexampled progress in national development, and, in general, equal opportunity, not in any narrow and limited sense but on both the material and spiritual sides of life, broad and unbounded—all these are sufficient to warrant the admiration and reverence of every informed mind.

More progress has been made in this country in scientific development in the last 150 years than had been made in all the world from the day of Julius Caesar to George Washington. Our successes have not betrayed our judgment or hardened our heart. In spite of sporadic outbreaks of violence, one of our chief characteristics is a profound reverence for humanity. On our record and on our prospects there is every reason for an abiding faith in our country.

While these considerations may well be dwelt upon as justifying pride in our country, the reasons for love of country appear to lie deeper. It can scarcely be said that it is the people of great and powerful nations who have exhibited the greatest attachment to the land of their birth. Those who have originated in countries that were small and inconspicuous and poor have rather been marked by a devotion to the soil which bred them above those who were reared among more affluent circumstances. Nevertheless, it has been that strain, nourished on the sentiment of patriotism, who, when they have been transferred to countries having broader opportunities, have been an important factor in human development. They have exhibited a tenacity of purpose, a strength of character, and a moral fiber that have made them a most important element in any country wherever they have been found. Next to devotion to the home, devotion to the country has been one of the strongest and most indispensable attributes contributing to human progress.

The constant criticism of all things that have to do with our country, with the administration of its public affairs, with the operation of its commercial enterprises, with the conduct of its social life, and the attempt to foment class distinctions and jealousies, weaken and disintegrate the necessary spirit of patriotism. There is always need for criticism, but there is likewise need for discrimination. There is a requirement for justice and truth. Wherever there is the genuine, there will be some counterfeits. But our own Nation, or any other nation, does not consist of the counterfeits; it consists of the genuine. Constantly to portray the failures and the delinquents is grossly to mislead the public. It breeds an unwarranted spirit of cynicism. Life is made up of the successful and the worthy. In any candid representation of current conditions they have the first claim to attention. In the effort of the press to destroy vice, it ought not to neglect virtue.

These are some of the ideals toward which, I believe, the journalistic profession should work. I am conscious that they are not yet attainable in their entirety, and yet they may be closer at hand than

many of us realize. As civilization advances the time element of reactions greatly decreases. Reforms do not always grow up gradually. They are likely to occur all at once. It is, rather, abuses that creep in on us with a slow growth. The spirit of mankind is more and more asserting itself, more and more demanding that the affairs of government and society be conducted in accordance with the laws of truth. The people who neglect that precept are bound for a moral explosion. Publicity is not only the main agency of reform, it is likewise the main agency of prevention. In its true function it is not the voice of the individual reporter or editor, but the voice of public expression. It represents the thought, the hope, the aspirations, and the faith of the people.

It is a great opportunity that comes to the members of the National Press Club of Washington. This city is not only the seat of our Federal Government and the political center of our country, but it is bound to become more and more the center of science, of art, and of literature. Because of the position which the United States holds in the world, it will assume increasing importance in international affairs. Because you have places here of great power, you are likewise charged with great responsibilities.

In no small degree you are the keepers of the public conscience. By being servants of the truth you can help to create and support that confidence in our institutions and in each other, which is the foundation of national progress and prosperity. You can give to the nations a better understanding of each other and increase the harmonious relationship, the spirit of good will and friendship, which will bring to all peoples more of the blessings of contentment and of peace.

ARTICLE BY SENATOR BORAH—TREATIES WITH FRANCE, ETC.

Mr. EDGE. Mr. President, there appeared in yesterday's New York Times an article written by the Senator from Idaho [Mr. BORAH] discussing suggested treaties with France and other nations. I ask unanimous consent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE GREAT TREATY TO OUTLAW ALL WARS—SENATOR BORAH, IN SUPPORT OF SECRETARY KELLOGG'S ARGUMENTS, ASSERTS THAT SUCH A COMPACT WOULD STRENGTHEN THE PEACE MACHINERY OF THE LEAGUE, AND HE CALLS ON THE POWERS TO ACCEPT OUR PROPOSAL

(Again interest is centered on how to insure world peace. In a series of diplomatic notes the American and French Governments have discussed a sweeping proposal to outlaw war among all the nations. While willing to sign such a treaty with the United States, France points to the commitments of the powers under the league covenant and the Locarno agreements which bind them to take part against a war of aggression. Senator BORAH, chairman of the Senate Committee on Foreign Relations, takes up the argument where the diplomatic correspondence stopped; he argues that acceptance of the American proposal to outlaw war is not in conflict with the other agreements, but that its acceptance will allow all the peace machinery now in being to function more readily. He appeals to all the great powers to say whether "they are not willing at this time to join in denouncing and outlawing war.")

By WILLIAM E. BORAH, Senator from Idaho

In the month of April, 1927, the Foreign Minister of France, M. Briand, in a public address used the following language:

"France is willing publicly to subscribe with the United States to an engagement tending to outlaw war (to use an American expression) between the two Nations."

This proposal was not made through diplomatic channels but in a public speech and addressed, as it were, to all the world, and all the world heard it. What was said in the balance of his speech we do not know nor has anyone been concerned to find out. This single sentence completely overshadowed all else and distinguishes the speech as one of the most important which has been made by any Foreign Minister since the World War. It has been read and commented upon in every civilized country under the sun. All this reveals what a deep yearning there is among all peoples to be rid of the institution of war. A single step is hailed with universal acclaim.

MR. BRIAND'S FORMAL OFFER

Later M. Briand transmitted to our Government a more formal statement in which it was proposed, in brief, that the two Governments should solemnly declare:

"That they condemn recourse to war and renounce it respectively as an instrument of their national policy toward each other."

On December 28, the Secretary of State, Mr. Kellogg, proposed that the bilateral treaty be extended in its scope and that "an effort be made to obtain the adherence of all the principal powers of the world to a declaration renouncing war as an instrument of national policy." To this the Government of France replied suggesting, first, that France and the United States enter into such a treaty and then submit the same for the consideration of other powers; secondly, that the scope of such a treaty be limited to wars of aggression.

BRIAND'S CONTENTIONS

To this our Government replied urging that better progress could be made by all Governments acting together and rejecting limiting it to wars of aggression. M. Briand replied, in effect agreeing with both propositions, but calling attention to the fact that France and the other leading powers "are wholly bound to one another by the covenant placing them under reciprocal obligations, as well as by agreements such as those signed at Locarno in October, 1925. All of which engagements impose upon them duties which they can not contravene. The French proposal of June last looking to the conclusion of a bilateral compact had been drawn up in the light of century-old relations between France and the United States; the French Government still stands ready to negotiate with the American Government on the same conditions and on the same basis. But when confronted with the initiative of the United States in proposing a multipartite covenant, it had to take into consideration the relations existing among the various powers which would be called upon to participate therein."

Thus in these negotiations looking to treaties between the leading nations of the world renouncing and denouncing war as an instrument of policy we reach the point where it is deemed that such a program conflicts with the covenant of the League of Nations. One of the leading journals of the country defines the situation as follows:

"A more accurate description of this proposal would have been to call it a treaty to renounce the covenant of the League of Nations. For the whole European political system of renouncing war as an instrument of policy, but of pledges to wage war against any nation which disturbs the peace."

In other words, a system which is an alliance to go to war comes in conflict with an alliance not to go to war, and the question is: Can any method be devised by which the alliance not to go to war shall prevail? It seems to me that the difficulty is not insuperable.

It is true that the League of Nations for peace may be transformed overnight into a League of Nations for war. But it is fair to presume that the dominant principle is that of peace, and that the League of Nations would wish to make it unnecessary, if possible, ever to transform itself into a league for war. Its primary purpose, according to its advocates, is peace, and it would seem that a solemn pledge among the leading powers and those powers whose representatives sit as permanent members of the council and whose dominance in the league is supreme never to employ war for the settlement of any of their controversies would tremendously aid and assist the league in being nothing more at any time than a league for peace.

Is there anything which one can conceive so well calculated to advance the cause of peace and to strengthen the league and Locarno as a pledge among the great powers that they will never recognize war as an instrument for the settlement of international disputes and that they will adjust their differences in accordance with the methods provided in the league and Locarno for peaceful adjustment? If the leading powers make this pledge and keep it, there will indeed be little chance of war. If they do not keep it, neither the league nor Locarno have been destroyed.

It seems to me, as Lord Thompson has said: "If war were outlawed, the league would be far more firmly founded than it is to-day. The league is merely machinery for the adjustment of disputes; the proposal to outlaw war is a piece of legislation to revise international law upon the basis of peace."

M. Briand, in his note of January 23, says:

"The French Government still stands ready to negotiate with the American Government on the same conditions and on the same basis. That is, the same conditions and basis as the original proposition—a bilateral treaty. The plain fact is that the bilateral treaty proposed by M. Briand is identical in principle as to war commitments with the multilateral treaty offered by our Secretary of State, Mr. Kellogg. By agreeing in a bilateral treaty never to war with the United States, France could not carry out her obligations to go to war under Articles X and XVI of the covenant if war took place between the United States and any member of the league."

Suppose, in the way of illustration, that war should occur between Japan and the United States and, of course, I select Japan merely in the way of an illustration. Japan is a member of the league. Suppose further that Japan successfully invoked assistance from the league under Articles X and XVI of the covenant. France would be unable to render any military assistance to Japan pursuant to the covenant because she had agreed in a bilateral treaty never to go to war with the United States.

The principle underlying a bilateral treaty is identical with the principle involved in a multilateral treaty. On the other hand, a multilateral treaty, binding all the nations, binding all the leading powers, makes war less likely than a treaty between two nations. If France intends to live up to the strict letter of her obligations under Article X of the covenant, "to respect and preserve the territorial integrity and political independence" of all the members of the league, she could not possibly do so in case the United States got into war with any member of the league.

It will not do to say that a bilateral compact does not violate the league commitments because, forsooth, there is no chance of France and the United States going to war.

To make such a statement as that would be to stamp the original proposition with insincerity. If there is no shadow of danger of war between these two Republics, what is the need of making any treaty whatever renouncing war between them? And as M. Briand made his original offer "as an example to other nations," how can it be an "example" if no other nation can sign the compact or if the United States and France are unwilling to join with them in bringing about such a general compact? Was the two-power compact intended to be not only a close corporation but a closed incident?

As to France's other compacts or alliances, these are all supposed to be in harmony with the principles and provisions of the covenant and to be filed with the league. Let us assume, for example, in the case of Belgium, which has been raised by the French, that France is absolutely obligated under her alliance to come to the relief of Belgium in case of attack. This commitment can be easily protected.

All that is necessary is for the multilateral pact to be signed by Belgium, in which event all the signatories agree not to use war or force in any dispute or matter relating to Belgium. If an attack, nevertheless, is made on Belgium by one of the signatories it would constitute a breach of the multilateral treaty and would thereby, ipso facto, release France and enable her to fulfill her military engagements with Belgium. In other words, France's commitment to Belgium would merely be in suspense so long as the signatories kept their multilateral compact; there would be no violation thereof.

Secretary Kellogg very wisely put into his counter proposal not only that there should be a multilateral treaty comprising the big powers, but that it should be "open to the signatures of all nations." The logical development of this idea would lead to the great result desired by Secretary Kellogg, namely, the general renunciation and outlawing of war as a method of settling disputes by all the nations. Would not such a treaty augment and strengthen beyond any words to describe not only every peace plan in the world, but the peace sentiment and the peace public opinion which are just as essential in the cause of peace as treaties?

Such a universal treaty would put an end to any questions of war commitments under the league covenants or other alliances because the occasion for their exercise could only arise in case of a flagrant breach of the treaty by one or more signatories and, as stated, the legal effects of such a breach would be to free France from alleged restraints. And was this not M. Briand's purpose in proposing the pact "as an example to other nations"?

There is an atmosphere of fatality encompassing all discussions by Governments relative to war. "War is inevitable," "Force alone is respected," "Wars have always happened and always will happen."

These are the views, expressed or implied, of governments in dealing with war. We take all kinds of risks for war, but we are unwilling to take risks for peace. We build readily on the hatreds of people and their passion for war. We build reluctantly on the love of people and their passion for peace. It has been often declared that the United States has not cooperated with foreign countries in the advancement of the cause of peace. It is safe to prophesy that the United States will never become identified or cooperate with a system for peace based upon "pledges to wage war."

But the United States now stands ready to cooperate and identify itself with a system based upon pledges not to wage war. It ought to be worth much to have the full cooperation of the United States with the great nations and small nations also, if they choose to come in (and they will hasten, in my judgment to do so), to denounce and outlaw war forever as an instrument of policy.

NETWORK OF TREATIES

At the present time we have a network of treaties and understandings relative to peace—arbitration treaties, conciliation treaties, the Hague Tribunal, World Court, peace machinery of the league, and the machinery of Locarno. The effect of the Kellogg proposal is a solemn pledge to let that peace machinery work. It is a solemn pledge to rely upon the peace machinery of the peace plans and not upon the war machinery. It is a solemn pledge among the leading nations that they will not resort to war, that they are forever pledged to the employment of peaceful methods for the adjustment of their controversies. This gives us international laws based upon peace and not upon war. This pledge strengthens every piece of peace machinery in existence.

It is my opinion that it is not within the ingenuity of the human brain to set up and maintain a successful plan for world peace in competition with the conceded legitimacy of war as an instrument for the settlement of international disputes.

THE RESPONSIBILITY OF PEACE

The problem of peace or war for a long time to come is in the keeping and determination of a group of leading powers. If war comes, it will be because they, or some of them, will it so. The United States, Great Britain, Germany, France, Japan, Italy, and Russia will determine international law, international morality, and shape the course of peace to a controlling degree for many years. If they can adjust their controversies through peaceful methods and throw their influence against war as an instrument of policy, there is but little danger of war being fomented in other sources.

These nations can not escape their responsibilities—the dreaded responsibility for war should war come. They have it within their power so to adjust things as to practically outlaw war. I should like to have an expression from these powers as to whether under these conditions and under this responsibility and in view of their dominance they are not willing at this time to join in denouncing and outlawing war.

I said that they will determine international morality. I had reference in particular to the treatment of small nations and of weak peoples at the hands of the great powers. I do not know of anything in recorded history equal in harshness, in duplicity, and in injustice to the treatment of small nations by the great powers since the World War. During that struggle the most solemn and specific pledges were made to small nations and the more dependent peoples. Many were drawn in or led into the conflict against their own immediate interests on these pledges.

POLICY OF BIG POWERS

The "rights of small nations," "respect for sovereignty," "self-government," the "right to live their own lives" became a refrain of the powerful toward the weak and took form not only in general declarations but in specific pledges and agreements. Since the signing of the armistice, even at Versailles a policy wholly and cruelly at variance with these promises and preachments has obtained. From Syria to Nicaragua, from Egypt to China, it is one story of violated agreements and broken pledges, of rights denied and sovereignty invaded. It is one story of impatience and intolerance toward peoples struggling for unity and independence.

Whether there shall be a more just and humane policy toward small nations and weak peoples as well as whether we shall renounce war, await upon the bold and just initiative of the great powers. Whether we shall still cling to war as the basis of national power and the peak of national glory, whether we shall initiate an armaments race, thus burdening our people even more heavily with taxes, await upon the brave and righteous action of these great nations.

If we are going to be rid of some of the vicious beliefs and brutal commitments of the past, we will have to break to some extent with the past. Nothing of great moment was ever achieved by those who cautiously consult and slavishly follow precedents. "The situation must be viewed by every nation and generation boldly through its own eyes, not timorously with the forefinger in the guidebook of history."

LAKE CHAMPLAIN BRIDGES

Mr. COPELAND. Mr. President, there are on the calendar two bridge measures affecting my State, being Orders of Business 207 and 216. I ask unanimous consent that those measures may be now considered.

Mr. CURTIS. Mr. President, we are going to have the calendar considered this morning until 2 o'clock. I therefore hope the Senator from New York will not make that request.

Mr. COPELAND. This is the second time within a week that the Senator from Kansas has asked me to defer requesting action on these measures. We have passed this morning several bridge bills which are similar to the measures for which I now ask consideration.

Mr. CURTIS. The bills passed this morning were bills which were reported from the Committee on Commerce, and it is usual to take such action in those cases. Under the rule we will have the consideration of the calendar to-day until 2 o'clock, but if we shall take up bills in this way out of order, of course, it will delay the consideration of the calendar. However, I withdraw my objection.

Mr. COPELAND. I thank the Senator from Kansas. I first ask unanimous consent for the present consideration of House Joint Resolution 104.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 104) granting consent of Congress to an agreement or compact entered into between the State of New York and the State of Vermont for the creation of the Lake Champlain Bridge Commission, and to construct, maintain, and operate a highway bridge across Lake Champlain.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. COPELAND. I now ask unanimous consent for the immediate consideration of House bill 6099.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6099) granting the consent of Congress to the States of New York and Vermont to construct, maintain, and operate a bridge across Lake Champlain between Crown Point, N. Y., and Chimney Point, Vt., which had been reported from the Committee on Commerce with an amendment, in section 4, on page 3, line 5, before the word "years," to strike out "twenty" and insert "thirty," so as to make the section read:

Sec. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to

pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the completion thereof. After a sinking fund sufficient to pay the cost of constructing the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the cost of the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

INVESTIGATION OF PUBLIC UTILITY CORPORATIONS

Mr. WALSH of Montana. Mr. President, on February 1, calendar day of February 2, there was reported from the Committee on Interstate Commerce Senate Resolution 83, relating to public utilities. I should like the attention of the chairman of the Committee on Interstate Commerce [Mr. WATSON] in order to ascertain if we can not make some arrangement to consider the resolution at an early day.

Mr. WATSON. Mr. President, I reported the resolution the day after I was ordered to do so by the committee. My understanding is that it now has to go to the Committee to Audit and Control the Contingent Expenses of the Senate. I did not ask that it be sent to that committee, because I was not sponsoring the measure. I supposed the Senator from Montana would do that.

Mr. WALSH of Montana. I move that Senate Resolution 83 be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The motion was agreed to.

PRESIDENTIAL TERMS

The VICE PRESIDENT. If there be no additional concurring or other resolutions, resolutions coming over from a preceding day are in order.

Mr. LA FOLLETTE. Mr. President, in view of the fact that this is Calendar Monday, and that there is a desire on the part of many Senators to proceed with the calendar, I ask unanimous consent that Senate Resolution 128 may go over without prejudice.

The VICE PRESIDENT. Without objection, it will be so ordered. The morning business is closed.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. HOWELL. I ask unanimous consent for permission to enter a motion for a reconsideration of the votes whereby the Interior Department appropriation bill was ordered to a third reading and passed.

The VICE PRESIDENT. Without objection, the motion will be entered.

Mr. SMOOT. Mr. President, I did not hear the request of the Senator from Nebraska.

The VICE PRESIDENT. The Senator entered a motion for reconsideration of the votes whereby the Interior Department appropriation bill was ordered to a third reading and passed.

Mr. WILLIS subsequently said: Mr. President, I wonder if we can not have some understanding in regard to the motion that has been made by the Senator from Nebraska. Some of us are very greatly interested in that bill, and want it to be finally acted upon. When is it the purpose of the Senator to call up his motion for determination?

Mr. HOWELL. It is my purpose to call it up to-morrow afternoon.

Mr. WILLIS. Will that be agreeable to the Senator from Utah, who has charge of the bill?

Mr. SMOOT. It is agreeable to me if I can get out of a conference that I have on another bill.

Mr. HOWELL. I shall be perfectly willing to call it up Wednesday.

Mr. SMOOT. I should prefer to take it up to-day.

Mr. HOWELL. I am not prepared to take it up to-day.

Mr. SMOOT. Then I want it to come up the first thing to-morrow morning, if the Senator will be ready then.

Mr. WILLIS. Let it be understood, then, that the motion will come up the first thing to-morrow, as soon as the Senator can get the floor.

Mr. HOWELL. I shall be prepared to take it up to-morrow afternoon.

THE CALENDAR

The VICE PRESIDENT. The calendar under Rule VIII is in order.

Mr. CURTIS. Mr. President, I ask unanimous consent that in the consideration of the calendar this morning only unobjectioned bills be considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The Clerk will state the first bill on the calendar.

PAY OF RETIRED WARRANT OFFICERS

The first business on the calendar was the bill (S. 1946) relative to the pay of certain retired warrant officers and enlisted men and warrant officers and enlisted men of the reserve forces of the Army, Navy, Marine Corps, and the Coast Guard, fixed under the terms of the Panama Canal act, as amended.

Mr. KING. Let that go over.

Mr. EDGE. Mr. President, I trust the Senator from Utah will withhold his objection. In two minutes I think I can satisfy his views in this matter, because I did it a year ago when the bill was passed. Will the Senator withhold his objection at least until I can make a statement?

Mr. KING. This is a bill that will require a great deal of debate.

Mr. EDGE. I think the Senator is in error as to the bill. We passed the bill at the last part of last session, with the approval of the Senator from Utah.

Mr. KING. I will withhold the objection.

Mr. EDGE. Mr. President, if I may have the attention of the Senate for a moment, this is a bill which applies alone to the Panama Canal Zone. It affects, I am told, 10 former enlisted men in the Army and 1 or 2 men who, I think, were perhaps in the Navy as warrant officers. It does not affect at all any former commissioned officers. It provides, in a few words, that they will be permitted to retain whatever extra pay or bonus they earn as members of the Army; and it simply restores the situation which had existed for a long time back, until a decision was made recently by the Comptroller General. If I may read just a paragraph from the letter from the Secretary of War, it will perhaps make it plainer than I could make it by an explanation:

In a decision to the Governor of the Panama Canal of December 3, 1924, the Comptroller General held that, notwithstanding the general provisions of that act, the Panama Canal act still requires the Panama Canal to deduct from the compensation paid retired enlisted men employed by it the amount of any retired pay received by them. Under this ruling the Panama Canal appears to be the only branch of the Government service that is not authorized to employ and pay retired enlisted men without deduction from their civilian salaries on account of their retired pay.

In other words, it does not apply to any other branch of the Government service. It just happens to be the case under the Panama Canal act that the Comptroller General made what might be deemed an arbitrary decision, so that we deny a few dollars to these 10 men who were formerly enlisted in the Army or the Navy and employed in the Canal Zone, and are kept there now because of their technical experience. If they were in Government service elsewhere, or anywhere in private service, they would, of course, receive this additional compensation. We passed the bill last year just before the Senate adjourned, and the House did not have time to act on it; so, under the circumstances, I trust the Senator from Utah will withdraw his objection.

Mr. KING. I shall withdraw the objection, but I desire to make this observation:

I believe that the policy of paying officers or employees compensation by the Government upon the theory that they are disabled, and then permitting them to be employed by the Government in other departments at the same rates of pay that are permitted to other employees, is not a very wise one. We pass a retirement bill upon the theory that men are disqualified, in part at least, for the discharge of their duties. We then turn around and hire them, giving them the same compensation that persons obtain who are not so disqualified in part. I do not think the policy is wise, but I shall not object to the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That section 4 of the Panama Canal act, as amended, shall not be construed as requiring the deduction of the retired pay or allowances of any retired warrant officer or enlisted man of the Army, Navy, Marine Corps, or Coast Guard, or the training pay,

retainer pay, or allowances of any warrant officer or enlisted man of the reserve forces of the Army, Navy, Marine Corps, or Coast Guard, from the amount of the salary or compensation provided by or fixed under the terms of the Panama Canal act, as amended.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REFUND OF TAXES

The bill (S. 2185) to extend the time for the refunding of taxes erroneously collected from certain estates was announced as next in order.

Mr. LA FOLLETTE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. WALSH of Massachusetts subsequently said: Mr. President, the Senator from Wisconsin objected to the consideration of Senate bill 2185. I sent word to him asking him not to leave the Chamber, but I see he has left the Chamber. I should like to reserve the right to call up the bill later when he returns.

CHARLES H. NIEHAUS

The bill (S. 380) for the relief of Charles H. Niehaus was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$33,121 to Charles N. Niehaus, of Grantwood, N. J., to compensate the said Niehaus for losses suffered by him in the designing and erection by the said Niehaus of the Francis Scott Key Memorial at Fort McHenry, Baltimore, Md., under his contract with the United States, dated October 19, 1916, said memorial having been completed by the said Niehaus and accepted by the United States June 14, 1922.

Mr. KING. Mr. President, I should like to have some explanation of that bill.

Mr. EDGE. Mr. President, I shall be very glad to give the Senator a brief explanation.

The bill also was passed at the last session. It is a compromise provided by the Committee on Claims of a claim filed by Mr. Niehaus, who was the architect for the Francis Scott Key memorial erected in Baltimore. The report which accompanies the bill, and from which I shall not take the time of the Senate to read more than one extract, plainly assumes on behalf of the Government the responsibility for the extra charge. The plans for the monument as well as the location of the monument were all changed after the estimates and contract had been made; and this brief extract, which is from the War Department, I think will be sufficient:

It was not until October, 1920, that the War Department was ready to go ahead, and he finished the memorial in 1922 at a great loss.

Understand, it was held up for two or three years during the war, for which, of course, the architect would be in no way responsible.

This loss was due partly to changes which he agreed to make in the original design, partly to changes in the location of the memorial, partly to trouble with subcontractors who tried to back down on the contracts, and partly to the greatly increased cost of labor and materials between 1915 when the sculptor figured on the work and 1922 when it was finally completed and accepted.

I might say that last year the subcommittee of the Committee on Claims had a very exhaustive inquiry and hearing, and had all of the bills submitted audited and checked up. This final compromise of \$33,121 is, as I recall, about two-thirds of the original claim, which claim was proven by actual account. It is the unanimous report of the committee.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

VAN DORN IRON WORKS CO.

The bill (S. 624) for the relief of the Van Dorn Iron Works Co. was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, I should like to ask the Senator from Ohio, who introduced the bill, a question. It appears that this bill is to reimburse a contractor or a subcontractor for package boxes furnished the Post Office Department. The report of the committee shows that the boxes were received and used by that department. How does it happen that they were not paid for by the department?

Mr. WILLIS. Mr. President, I was just seeking to get the floor to make a statement on that point. I think the question is a perfectly proper one; and it is similar to the question that was raised by the Senator from Washington [Mr. JONES] when we reached the bill before. I understood that it was perfectly clear that no one else had been paid for these boxes, but when

my attention was drawn to it I was not able to give definite information upon the point. I wrote to the Post Office Department officially, and received a letter from the Postmaster General; and I want to say that the letter is not satisfactory to me, and I do not desire to have the bill acted upon until I get some further information.

I therefore ask that the bill be passed by without prejudice.

Mr. ROBINSON of Arkansas. Before the bill is passed by I want to call the attention of the Senator from Ohio to a statement by the Acting Postmaster General under date of October 15, 1919:

Attention should be called to the fact that in a similar case growing out of the fraudulent conduct of the same public officials a special act was passed by Congress on June 30, 1906 (34 Stat. 656), authorizing the payment of the manufacturer's price of \$18,227.40 to the Adrian Brick & Tile Machine Co., which was the manufacturer of the boxes furnished through the Michigan Steel Box Co., whose contract, by reason of fraud, was found to be void by the Court of Claims (49 Court of Claims Reports 421), the latter company having made an agreement consenting to the payment of that sum direct to the manufacturer with the understanding that it was not to be regarded as a payment of its claim beyond that sum.

The implication there is that there was fraudulent conduct on the part of public officials; but it does not appear as to what the conduct consisted of, nor what officials were guilty of such conduct.

Mr. WILLIS. I think the question of the Senator is a proper one; and I have written to the people interested in this bill that there must be definite information, that matter will have to be cleared up, before the Senate will be asked to pass upon it; so I ask that the bill be passed over until we get that information.

Mr. JONES. Mr. President, I am glad the Senator has asked to have the bill go over. I hope it will be very clearly shown why this subcontractor can not hold his contractor. I will say frankly that I have a bill here for the relief of subcontractors where the Government apparently got the full benefit of the subcontractor's work and expenditure, but the report comes down that there is no obligation at all between the Government and the subcontractor, that this contract was with the contractor, and therefore they do not recommend any payment.

Mr. WILLIS. I merely wish to add that the letter which came to me from the Post Office Department was astonishing in the amount of information which it did not convey. To clear up the matter it quoted from the report which we already have here. It does not throw any light at all on the subject; and I have notified the parties that unless they can give us information that is conclusive upon this point the Senate will not pass on the bill at all.

The PRESIDENT pro tempore. The bill will be passed over.

ISABELLE R. DAMRON

The bill (S. 1361) for the relief of Isabelle R. Damron, postmaster at Clintwood, Va., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of," to strike out "\$695.03" and insert "\$439.98," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Isabelle R. Damron, postmaster at Clintwood, Va., the sum of \$439.98, the same being the amount of money stolen from the safe in the post office at Clintwood, Va., on July 25, 1923, by persons unknown.

The amendment was agreed to.

Mr. KING. Mr. President, I desire an explanation before I consent to the passage of this bill. I call the attention of the Senator from Virginia [Mr. SWANSON] to the report of the inspector, who states that the claimant violated the rules, if not the law, relating to postmasters, and says that the loss resulted from negligence within the meaning of the statute; and therefore the Post Office Department reports adversely upon the bill.

Mr. SWANSON. Mr. President, in cases such as this, where there is no question of negligence, credit is allowed postmasters in their settlements. The inspector did not allow credit for this loss when settlement was made. So a bill was introduced, with a view to taking evidence as to whether the negligence, great or slight, was sufficient to justify denying the credit of the \$429.

I think the only reason for not allowing the credit was that the drawer in which the money was kept was not sufficiently secured when the burglar entered the building. There is abundant evidence to show that there was no negligence on the part

of the postmaster. The money was in a drawer in the post office, which, I think, was entered about 1 o'clock at night—

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. SWANSON. The Postmaster General made no recommendation pro or con.

Mr. KING. Mr. New states in his report:

It is further shown that the burglary occurred between 12 noon and 1 p. m., while the office was closed temporarily and unoccupied, and that the funds and stamps were taken from a cash drawer and from the safe, both of which were left unlocked, contrary to the following regulations:

"1. Postmasters must exercise all possible care for the protection of the public funds and property in their custody.

"2. When funds or postage stamps are left at night in offices unprovided with iron safes, they must be kept in strong drawers or other fixed receptacles, which must be securely fastened with good locks. The doors and windows of the office should be made as secure as possible. The same precautions shall be taken when the post office is closed temporarily during the day."

The loss thus appearing to have resulted from negligence within the meaning of the statute above cited, settlement of the claim was made by disallowances under date of January 31, 1924.

Mr. SWANSON. Mr. President, as I said, if there had not been evidence of slight negligence, the inspectors would have allowed this loss in settling the account. There is hardly a session of Congress when we do not appropriate for innumerable claims like this, where there is no negligence. In this case the store was closed about 12 o'clock, as they do in these little country towns, to enable this lady to go home and get her lunch. She did not have a clerk, she was poor, and she closed the office, and while she was away the burglar entered. These stamps were all in the drawer and they were taken out. There is no dispute that they were stolen, and the only technical reason why credit was not allowed was that she did not have a sufficiently strong lock, or a lock which met the rigid requirements of the law. If such had been the case, there would have been no question about the claim being allowed. The Postmaster General made no recommendation against it. He sent it here with a statement of the facts. A great deal of testimony was taken, and at the last session of Congress a bill similar to this bill was reported and passed by the Senate. I hope the Senator will not object.

Mr. KING. Mr. President, let me call the Senator's attention to this again:

The funds and stamps were taken from a cash drawer and from the safe, both of which were left unlocked.

Mr. SWANSON. I have stated that they were unlocked. If they had been locked securely—

Mr. KING. No; not securely; they were not locked at all.

Mr. SWANSON. The Postmaster General can not make these allowances unless certain conditions are complied with. The Postmaster General disallowed this, and the claimant came to Congress. She has witnesses here to prove that there was no negligence on her part. She was the postmaster, and postmasters get little pay. A similar bill was passed at the last session of Congress. I think it was debated, if I am not mistaken, one night, and finally passed, and I hope the Senator will not object to the appropriation of this \$429.

Mr. KING. Mr. President, I shall put the responsibility on the Senate. I shall not object to the consideration of the bill, but I shall certainly oppose its passage and vote against its passage.

I want to invite the attention of Senators to the fact that if the Government is not to be protected by proper methods when it promulgates proper regulations; if, when employees violate the rules prescribed, as was done in this case, they may come to Congress and receive compensation, then obviously there is no use in promulgating rules and regulations. We have thousands of employees of the Government who have funds in their possession, large funds and small funds, and the Government can not be present by its inspectors constantly. It must provide rules and regulations, and they must be observed, for the protection of property committed to Government employees; and if Government employees violate the Government rules and regulations, which are very clear, it seems to me Congress should not be called upon to pay. If it accedes, there is an invitation to negligence; we will have thousands of these claims, and appeals will be made by eloquent Senators, and the appeals are very strong in many instances; but the result will be a lessening of the morale, a letting down of the bars and the requirement that the Government shall be called upon to pay, because of the negligence of its own employees.

The PRESIDENT pro tempore. If there is no further amendment to be offered, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

ESTATE OF GEORGE B. SPEARIN

The bill (S. 1678) for the relief of the estate of George B. Spearin, deceased, was announced as next in order.

Mr. BRATTON. Let that go over.

Mr. EDGE. Mr. President, will the Senator withhold his objection just a moment so that I may make a brief explanation?

Mr. BRATTON. Certainly.

Mr. EDGE. A similar bill was passed here in the closing hours of the last session, and it seems to me to be a very just claim. It is to pay interest owing to the estate of George B. Spearin, who successfully prosecuted a claim before the Court of Claims, which was afterwards, as I understand it, affirmed by the Supreme Court of the United States, but because of some neglect—

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. EDGE. I yield.

Mr. ROBINSON of Arkansas. The Senator has approached the very point which I think makes this claim questionable. The report shows that the claimant's attorney failed to file the transcript of the judgment of the Court of Claims with the Treasury Department within the period prescribed by law, and that, through the fault or negligence of the claimant's attorney, which, of course, is attributable to the claimant himself, the claim could not be paid.

I am always willing to have the Government right wrongs which have occurred through the negligence of Government officials, or through improper conduct of adversary parties, but it is going a very long way, I suggest to the Senator from New Jersey, to guarantee a claimant against the negligence or failure of his own attorney. There might have been some reason—

Mr. EDGE. There is a reason.

Mr. ROBINSON of Arkansas. Sounding in the interest of the claim why this transcript was not filed in due time, but I doubt whether Congress ought to commit itself to the precedent of making whole claimants where their losses have accrued through their own negligence, or through the negligence of their attorneys.

Mr. EDGE. Mr. President, I agree absolutely with the Senator from Arkansas in the general principle he has enunciated, that if it is negligence which could have been avoided, then the claim should not be allowed. My information is—and this appears in the report—that the attorney was physically unable to file the transcript. The report reads:

It also appears that failure to file the transcript of said judgment of the Court of Claims in the Treasury Department as of the date of the judgment of said court, April 13, 1916, was due to the physical condition of the attorney of said Spearin as shown by the affidavit of Dr. Sterling Ruffin, a practicing physician in the city of Washington.

So it would seem that in this case the claimant was entirely an innocent party to the unfortunate result.

Mr. ROBINSON of Arkansas. I note that in another part of the report, namely, at the end of paragraph 1, the statement is:

Spearin having died, his executor appealed to Congress, stating that the neglect to file the transcript was a failure to comply with a technical requirement due to the mental condition of the attorney.

Mr. EDGE. Yes; if I may read a little further, I will do so; I did not want to take the time of the Senate. The report further states:

It also appears that failure to file the transcript of said judgment of the Court of Claims in the Treasury Department as of the date of the judgment of said court, April 13, 1916, was due to the physical condition of the attorney of said Spearin as shown by the affidavit of Dr. Sterling Ruffin, a practicing physician in the city of Washington, from which affidavit it appears that said attorney was suffering from a condition of senile dementia which profoundly affected his memory and faculties and ability to fully protect his client's interests with respect to this technicality.

I think that under those conditions and circumstances the poor claimant certainly is entitled to have the claim paid.

The PRESIDENT pro tempore. Does the Senator from New Mexico maintain his objection?

Mr. BRATTON. I do.

The PRESIDENT pro tempore. The bill will go over.

WILLIAM HENSLEY

The bill (S. 1623) for the relief of William Hensley was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to William Hensley, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500, in full payment for injuries sustained by him while in the discharge of his duties at the navy yard, Washington, resulting in the loss of three fingers of his right hand, loss of his left eye, and other injuries incurred by him in the line of duty.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF WATERSHEDS

The bill (S. 1181) authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended was announced as next in order.

The PRESIDENT pro tempore. This bill being the unfinished business, will be passed over.

BROOKSVILLE PLANT INTRODUCTION GARDEN

The joint resolution (S. J. Res. 20) authorizing the Secretary of Agriculture to dispose of real property located in Hernando County, Fla., known as the Brooksville Plant Introduction Garden, no longer required for plant-introduction purposes, was announced as next in order.

Mr. JONES. Mr. President, there is nothing in the report to indicate the value of this property, and nothing to show how valuable it is. I think we ought to have some information as to the value of this property. There might be an appraisement or some investigation as to how it is to be sold.

Mr. McNARY. Let me understand. Does the Senator want a statement from the Secretary of Agriculture as to the probable present value of the property?

Mr. JONES. I think we ought to have something of the kind.

The PRESIDENT pro tempore. The bill will go over under objection by the Senator from Washington.

NEAT CATTLE

The joint resolution (S. J. Res. 21) to correct section 6 of the act of August 30, 1890, as amended by section 2 of the act of June 28, 1926, was considered as in Committee of the Whole.

Mr. KING. Mr. President, will the Senator from Oregon kindly explain this measure?

Mr. McNARY. Yes; I can do that in a word. When the law was enacted the word "neat" by mistake was spelled "meat," which destroyed the meaning. The word "neat" has a technical meaning, namely, it means bovine. The purpose of the act was to prevent the importation of infected animals from Mexico into the United States. The statute was drawn incorrectly, including the word "meat." It is impossible to determine what meat is infected, but it is possible to tell what kind of animals are infected. This is simply for the purpose of making the statute conform with the original intention of Congress.

Mr. KING. It expands the statute in no other direction?

Mr. McNARY. None whatsoever.

The joint resolution had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 5, to strike out "(Public, No. 436, Sixty-ninth Congress)," and to insert in lieu thereof "(44 Stat. L. 775)," so as to make the joint resolution read:

Resolved, etc., That section 6 of the act of August 30, 1890 (26 Stat. L. 414), as amended by section 2 of the act of June 28, 1926 (44 Stat. L. 775), down to the word "Provided" in line 4 thereof, be, and the same is hereby, amended by striking out the word "meat" and the comma thereafter, in the first line, and the word "importation," in the fourth line, and by substituting in lieu thereof the words "neat" and "exportation," respectively, so that so much of said section as is hereby amended shall read as follows:

"That the importation of neat cattle, sheep, and other ruminants, and swine, which are diseased or infected with any disease, or which shall have been exposed to such infection within 60 days next before their exportation, is hereby prohibited."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

NAMING OF CERTAIN HIGHWAYS

The bill (S. 1182) to provide for the naming of certain highways through State and Federal cooperation, and for other purposes, was announced as next in order.

Mr. JONES. Mr. President, a few days ago I received a suggestion with reference to the amendment of a bill something like this bill. I do not know whether this is the bill or not, but I have offered an amendment and have it lying on the table. I will ask that this go over until I can look the matter up. I have no objection to this bill.

Mr. McNARY. Let me ask the Senator from Washington the nature of his objection.

Mr. JONES. As I stated, I had a suggestion from the highway commissioner of the State of Washington a few days ago which I think referred to this bill, although I am not sure. I wanted to have an opportunity to look the matter up. I have no objection to this bill myself, but my correspondence suggested an amendment with reference to cooperation in putting up signs along the highways.

Mr. BLAINE. I am opposed to the bill.

The PRESIDENT pro tempore. The bill will go over under the objection of the Senator from Washington.

SALE OF MOUNT WEATHER

The bill (S. 1531) authorizing the Secretary of Agriculture to sell the Weather Bureau station known as Mount Weather, in the counties of Loudoun and Clarke, in the State of Virginia, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized and directed to advertise for sale and to sell to the highest responsible bidder the premises known as Mount Weather, in the counties of Loudoun and Clarke, in the State of Virginia, and comprising 84.81 acres of land, more or less, together with the buildings and other improvements thereon, including laboratories, cottages, sheds, stables, shops, heating and power plant, kite shelter, and other buildings of whatever nature, together with all rights, easements, and appurtenances thereto belonging, at such time, in such manner, and upon such terms as he may deem for the best interests of the United States; to convey such property to the purchaser thereof by the usual quitclaim deed, and to deposit the proceeds of such sale in the Treasury of the United States as a miscellaneous receipt, after deducting the expenses incident to such sale, but the Secretary of Agriculture shall reserve the right to reject any and all bids if in his judgment it is in the public interest to do so; and in the event of a general rejection of bids, to readvertise the property under conditions provided herein as often as may be necessary to accomplish sale.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSIONS OF TIME UNDER OIL AND GAS PERMITS

The bill (S. 1155) to grant extensions of time under oil and gas permits was announced as next in order.

Mr. ASHURST. Mr. President, some Senators have amendments they desire to propose to this bill, and I will ask that it go over until the amendments may be ready.

The PRESIDENT pro tempore. The bill will be passed over.

HORACE A. CHOUMARD

The bill (S. 511) to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

WILLIAM MORTENSEN

The bill (S. 1219) for the relief of William Mortesen was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$20,000" and insert in lieu thereof "\$1,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Mortesen the sum of \$1,000 for assistance rendered to the United States Government in land cases in Oregon.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT WOOD

The bill (S. 1217) for the relief of Albert Wood was announced as next in order.

Mr. KING. Mr. President, I would like to have an explanation of the bill.

Mr. McNARY. Mr. President, a similar bill was reported favorably at the last session of Congress and passed by the Senate. It is a situation wherein Mr. Wood had a contract to deliver mail between two towns in the State of Oregon for a four-year period, and after he had carried into effect his contract for 17 months it was canceled. The bill is to allow him slight damages for cancellation of the contract.

Mr. ROBINSON of Arkansas. Why was the contract canceled?

Mr. McNARY. Because the department thought they could have a better service in a different way, and changed the route.

Mr. ROBINSON of Arkansas. Did they have the right under the terms of the contract to cancel it?

Mr. McNARY. Yes.

Mr. ROBINSON of Arkansas. It is a mere equitable settlement?

Mr. McNARY. Yes. A similar bill has been reported out and passed by the Senate on two different occasions.

Mr. TRAMMELL. Mr. President, I think the bill is a very just one. After due consideration by the committee it was determined that the beneficiary had suffered a loss for which he really was not to blame. He had to purchase certain equipment and go to some expense. The bill is really only to compensate him for his loss after having had the contract canceled as has been suggested.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, in line 6, page 1, to strike out "\$1,475" and insert in lieu thereof "\$750," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to Albert Wood, of Vernonia, Columbia County, Oreg., the sum of \$750 in full compensation for losses suffered by him through and in connection with the cancellation by the Post Office Department in October, 1915, of a contract held by him for carrying the mails on star route No. 73195, in the State of Oregon, from July 1, 1914, to June 30, 1918.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF AIRPLANE ACCIDENT VICTIMS, MOUNDSVILLE, W. VA.

The bill (S. 1164) to provide relief for the victims of the airplane accident at Langin Field, Moundsville, W. Va., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to pay, in lieu of any other payment now authorized by law, (a) the sum of \$5,000 to the personal representative of every person not in the military or naval forces of the United States who was killed or whose death is a direct result of injuries sustained in the airplane accident at Langin Field, Moundsville, W. Va., on July 10, 1921; (b) a reasonable amount, not exceeding \$2,000, to every such person who was injured in such accident, as reimbursement for medical, surgical, and hospital attendance, supplies, and expenses, and as compensation for loss of time as a direct result of such injury; (c) a reasonable amount to the owner of any property destroyed or damaged by such accident as compensation for such destruction or damage.

SEC. 2. The amounts to be paid under subdivisions (b) and (c) of section 1 shall be determined after a public hearing by a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Chief of the Air Service and the Secretary of War.

SEC. 3. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 789) to amend the merchant marine act of 1920, approved June 5, 1920, by insuring the exemption from income taxes during the 10-year period there provided of profits on the sale of certain vessels when the proceeds of such sales are invested in new American vessels approved by the Shipping Board, was announced as next in order.

Mr. JONES. Mr. President, the Senator from Ohio [Mr. WILLIS] is very much interested in the bill. He was called from the Chamber a moment ago. I ask that it may be passed over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 1285) to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture, was announced as next in order.

Mr. KING. Mr. President, I think I would favor the bill, but there are some amendments to be presented which are not found in the bill itself. I ask that it be temporarily laid aside.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 2277) relating to giving false information regarding the commission of crime in the District of Columbia was announced as next in order.

Mr. ROBINSON of Arkansas. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. BLAINE. I understand the bill has gone over?

The PRESIDENT pro tempore. It has.

LEONIDAS L. COCHRAN AND ROSALIE COCHRAN BRINK

The bill (S. 2020) for the relief of Leonidas L. Cochran and Rosalie Cochran Brink was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to patent to Leonidas L. Cochran, of St. Andrew, Fla., lots 9 and 13 of section 11, township 4 south, range 15 west, of the Tallahassee meridian, Florida, and to Rosalie Cochran Brink, of St. Andrew, Fla., lots 2 and 3 of section 10, said township: *Provided,* That the parties named pay for the land described at the rate of \$1.25 per acre within six months after the approval hereof.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FLETCHER. Mr. President, I would like to ask that the report accompanying the bill just passed be printed in the Record. It is a short report.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The report is as follows:

[S. Rept. No. 78, 70th Cong., 1st sess.]

LEONIDAS L. COCHRAN AND ROSALIE COCHRAN BRINK

Mr. BRATTON, from the Committee on Public Lands and Surveys, submitted the following report to accompany S. 2020:

The Committee on Public Lands and Surveys, to whom was referred the bill (S. 2020) for the relief of Leonidas L. Cochran and Rosalie Cochran Brink, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The bill has the recommendation of the Secretary of the Interior, as set forth in the following letter, which also sets forth the facts relative to the proposed legislation:

DEPARTMENT OF THE INTERIOR,
Washington, January 13, 1928.

Hon. GERALD P. NYE,

Chairman Committee on Public Lands and Surveys,
United States Senate.

MY DEAR SENATOR NYE: You have requested a report on S. 2020, a bill for the relief of Leonidas L. Cochran and Rosalie Cochran Brink.

The bill proposes to allow Leonidas L. Cochran to acquire title to lots 9 and 13 of section 11, township 4 south, range 15 west, Tallahassee meridian, Florida (39.98 acres), upon payment of \$1.25 per acre, and to allow Rosalie Cochran Brink to acquire, on the same terms, lots 2 and 3 of section 10, said township (151.70 acres).

On March 6, 1924, the register of the Gainesville, Fla., land office allowed Leonidas L. Cochran to make an additional homestead entry for lots 4, 7, 8, and 9 of section 11, said township. There had been a resurvey of the township, and in adjusting the claims for the land which had attached under the original survey it was necessary to cancel the entry of Cochran on October 28, 1926, and patent the land to J. H. Drummond. In the meantime Cochran had cleared the entered land and made many improvements thereon, his expenses in connection with the entry being approximately \$1,000.

Rosalie Cochran Brink, then unmarried, made homestead entry on September 18, 1925, for lot 4 of section 3 and lots 7, 8, and 10 of section 10, said township, which entry was likewise canceled on October 28, 1926, in the adjustment of conflicting claims revealed by the plat of resurvey, and the land was patented to said Drummond. While the entry was intact, Mrs. Brink erected a six-room house on the land,

besides a cow barn and shed and a poultry house, and cleared, fenced, and cultivated between 5 and 6 acres. She estimates her expenditures on the entry at not less than \$900.

The cancellation of both said entries was due solely to the fraudulent or erroneous character of the original survey, executed in 1847. To allow the parties to purchase the lots described would be a measure of relief from the losses sustained by the erroneous allowance of the entries referred to, and I recommend that the bill be enacted.

Very truly yours,

HUBERT WORK.

LINCOLN COUNTY, OREG.

The bill (S. 1218) for the relief of Lincoln County, Oreg., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Lincoln County, Oreg., out of any money in the Treasury not otherwise appropriated, a sum of money equal to the amount Lincoln County would have received as taxes for the years 1919, 1920, 1921, and 1922 from the United States Spruce Production Corporation if the real and personal property of such corporation, exclusive of improvements made thereon by the United States, United States Spruce Corporation, or any other agent of the United States, were taxable as property privately owned. The sum shall be in full satisfaction of all claims of Lincoln County against the corporation, or any real or personal property thereof, or against the United States in respect of such corporation or property for such taxes for such years.

SEC. 2. For the year 1923 and for each year thereafter, as long as any such property remains the property of the corporation or of the United States, or of any corporation, 51 per cent or more of the shares of which is owned by the United States, the Secretary of the Treasury is authorized and directed to pay to Lincoln County, out of any money in the Treasury not otherwise appropriated, an amount equal to the amount which would be payable as taxes on such property to Lincoln County if such property were taxable as property privately owned.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BRATTON subsequently said: Mr. President, I ask unanimous consent to recur to Calendar No. 81, the bill (S. 1218) for the relief of Lincoln County, Oreg.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. BRATTON. I should like to have an explanation of the bill if the Senator from Oregon [Mr. McNARY] will make it.

The PRESIDENT pro tempore. The Senator from New Mexico asks the senior Senator from Oregon to explain the bill.

Mr. BRATTON. Is this the same bill we discussed at some length during the last session?

Mr. McNARY. It is. A similar bill was passed by the Senate on two different occasions. It came from the Committee on Claims, of which the Senator from New Mexico is a member, as I recall.

Mr. BRATTON. With that statement I am content.

FRED A. KNAUF

The bill (S. 1758) for the relief of Fred A. Knauf was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of Fred A. Knauf, postmaster at Sheboygan, Wis., in the sum of \$141,433.82 (said sum consisting of \$107 cash, \$76,703.62 salable postage stamps, \$64,575.20 pre-cancelled stamps, one war-savings stamp of the value of \$5, and war-tax revenue funds to the amount of \$43), on account of money, war-savings stamp, and postage stamps stolen from safes in the post office at said city when burglarized on October 17, 1925.

Mr. KING. Mr. President, I would like an explanation of the bill.

Mr. LA FOLLETTE. Mr. President, I shall be glad to make an explanation for the Senator from Utah. This is a bill to provide for the relief of the postmaster at Sheboygan, Wis. It is to reimburse him in the sum of \$141,433.82, which was taken from the post office in a robbery. The matter has been very thoroughly investigated by the Post Office Department and a most comprehensive report of the department is incorporated in the report accompanying the bill, setting forth the fact that all the regulations provided by the department were strictly complied with and that there was no negligence or breach of the regulations by the postmaster. The bill is recommended by the Postmaster General and by the Director of the Bureau of the Budget. The committee also recommends its passage. I believe, from the investigation which I have made of the matter, that the bill should pass in justice to the postmaster.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF MERCHANT MARINE ACT, 1920

Mr. WILLIS. Mr. President, during my temporary absence from the Chamber Calendar No. 75, the bill (S. 789) to amend the merchant marine act of 1920, approved June 5, 1920, by insuring the exemption from income taxes during the 10-year period there provided of profits on the sale of certain vessels when the proceeds of such sales are invested in new American vessels approved by the Shipping Board, was reached and passed over without prejudice. I ask that it may now be considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Ohio?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce without amendment.

Mr. WILLIS. Mr. President, when the bill was before the Senate previously it was rather fully explained. The only objection made to it was raised by the senior Senator from Utah [Mr. Smoot]. I have since conferred with him and have a letter from the Secretary of the Treasury covering the very point about which objection was made. The Senator objected because the bill had not been referred to the department. It was subsequently referred, and I have here the letter from the Secretary of the Treasury to me and likewise a letter from the Secretary of the Treasury to the Senator from Utah. I ask that both letters, together with the committee report, be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letters and committee report are as follows:

THE SECRETARY OF THE TREASURY,
Washington, January 16, 1928.

HON. FRANK B. WILLIS,
Chairman Committee on Commerce,
United States Senate.

MY DEAR SENATOR: There is attached a copy of a letter addressed to Senator SMOOT, chairman of the Finance Committee, relative to Senate bill 789.

This department approves the passage of the bill in order to carry out the purpose intended to be accomplished in the original merchant marine act, but has suggested that the bill be amended so that the exemption will be granted if the entire proceeds of the sale shall forthwith be invested in building new ships in American shipyards. The bill, no doubt, contemplates that the investment will be made immediately, but it appears to this department desirable to have the word "forthwith" inserted in the bill, line 4, page 2, just after the word "shall," in order that there may be no doubt on this question.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

JANUARY 16, 1928.

HON. REED SMOOT,
Chairman Finance Committee,
United States Senate.

MY DEAR SENATOR: Reference is made to Senate bill 789, which proposes to amend the second paragraph of section 23 of the merchant marine act, 1920, approved June 5, 1920.

The provision in the merchant marine act which the Senate bill proposes to amend was clearly intended to provide exemption from income tax of the profit derived from any sale made during the 10-year period beginning June 5, 1920, of American ships built prior to January 1, 1914, provided the entire amount received was reinvested in the building of new ships in American shipyards. As the merchant marine act was passed when the revenue act of 1918 was in force it provided that the profit should be exempted from the taxes imposed by Titles I, II, and III of the revenue act of 1918. Evidently the fact that the revenue act of 1918 might not remain in force for the 10 years did not occur to the persons who drafted the original bill, or else it was overlooked by them. As the exemption was contained in an act other than the revenue act, it was overlooked when revision of the revenue act of 1918 was being considered and the revenue act of 1921 was being drafted. This is likely to happen when a provision affecting the taxation of income is not contained in the revenue act.

It is the opinion of this department that Senate bill 789 should be passed in order to carry out the purpose intended to be accomplished in the original act. It is suggested, however, that the bill be amended by inserting the word "forthwith" in line 4, page 2, just after the word "shall," so that the last clause will read "if the entire proceeds shall forthwith be invested in the building of new ships in American shipyards, such ships to be documented under the laws of the United States

and to be of a type approved by the board." This amendment is suggested because it appears from the fourth paragraph of the report of the Committee on Commerce submitting the bill to the Senate and recommending its passage that such committee has the idea that the original act intended to give the owners of ships 10 years within which to make the reinvestment. This department does not so read the original act and would seriously object to any provision which would permit the reinvestment to be put off for any great length of time. If the reinvestment could be put off for a period subsequent to the running of the statute of limitations within which an assessment of tax could be made, the taxpayer might claim exemption, and then when the statute had run change his mind and not reinvest. For this reason it is suggested that the word "forthwith" be inserted.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

[S. Rept. No. 74, 70th Cong., 1st sess.]

AMEND THE MERCHANT MARINE ACT, 1920

Mr. WILLIS, from the Committee on Commerce, submitted the following report, to accompany S. 789:

The Committee on Commerce, to which was referred the bill (S. 789) to amend the merchant marine act, 1920, approved June 5, 1920, by insuring the exemption from income taxes during the 10-year period there provided of profits on the sale of certain vessels when the proceeds of such sales are invested in new American vessels approved by the Shipping Board, having had the same under consideration, report it back without amendment and recommend its passage.

The necessity for this legislation grows out of a decision by the Internal Revenue Bureau regarding the effect of certain provisions in the merchant marine act of 1920. Section 23 of that act provided, among other things, that during the period of 10 years from the enactment of the law any citizen of the United States who might sell a vessel documented under the laws of the United States and built prior to January 1, 1924, should be exempt from all income tax that would be payable upon the proceeds of such sale under title 1, title 2, and title 3 of the revenue act of 1918 if the entire proceeds of such sale should be invested in the building of new ships in American shipyards; such ships to be documented under the laws of the United States and to be of type approved by the Shipping Board.

It will be observed by the terms above quoted, the exemption was applicable only to income tax payable under the revenue act of 1918. This act was repealed and succeeded by the revenue act of 1921. The Internal Revenue Bureau holds that since the tax from which exemption was given disappeared by that name with the repeal of the 1918 act there is no exemption as to these funds under subsequent acts.

As a result, American citizens who have sold ships and reinvested the proceeds in new ships, with the idea that the original act gave them 10 years within which to make the reinvestment, are now called upon by the present ruling to pay a substantial part of the proceeds of these sales as taxes.

The clear, unmistakable purpose of Congress in enacting the original law was to give for a period of 10 years the advantage which would come from the aforesaid exemption. The purpose of the pending measure is to carry into effect this original purpose set forth in the merchant marine act of 1920.

It is of the greatest importance that our shipping should receive all reasonable and proper encouragement. In spite of all that has been done, the proportion of our commerce carried in American ships is falling off day by day. It is therefore provided that the advantages accruing under the original act shall exist not only under the revenue act of 1918, but under any subsequent revenue act in force during the 10-year period beginning June 5, 1920.

Mr. LA FOLLETTE. Mr. President, will the Senator state the substance of the report of the department on the bill?

Mr. WILLIS. The department suggests that there ought to be inserted one word in line 4, page 2, of the bill—the word "forthwith." As it reads now the language is, "If the entire proceeds thereof shall be invested in the building of new ships."

Mr. BRUCE. Mr. President—
The PRESIDING OFFICER (Mr. BINGHAM in the chair). Does the Senator from Ohio yield to the Senator from Maryland?

Mr. WILLIS. I yield.
Mr. BRUCE. I want to ask the Senator a question. Did I correctly understand the Senator to state that the Secretary of the Treasury and some other Federal official have approved the bill?

Mr. WILLIS. Yes. It was referred to the Treasury Department and received the approval of the Secretary of the Treasury, and the Secretary's letter will appear in the RECORD. The Secretary suggested, however, and properly, I think, that the following amendment should be made to protect the Treasury. As it reads now, the language is, "If the entire proceeds thereof shall be invested," and so forth. The Secretary thought, and I

think he is correct in it, that the word "forthwith" should be inserted. I move, therefore, that in line 4—

Mr. KING. Mr. President—

Mr. WILLIS. Will the Senator let me finish the statement of the amendment?

Mr. KING. I was desirous of inquiring whether consent has been given for consideration of the bill.

Mr. WILLIS. That has already been given. We have proceeded to consider the bill by unanimous consent.

Mr. KING. Of course, if the Senator with so much assurance says we have agreed to do that, I shall accept his statement.

Mr. WILLIS. The Senator was temporarily absent.

Mr. KING. I have not left the Chamber.

Mr. WILLIS. The request was properly put by the Chair, and no objection was made—not by the present occupant of the chair, but by the President pro tempore.

I offer the following amendment. On line 4, page 2, after the word "shall," I move to insert the word "forthwith," so that it will read:

If the entire proceeds thereof shall forthwith be invested in the building of new ships—

And so forth.

Mr. KING. I want to ask why the Senator, when we were considering the so-called shipping bill, a bill which passed this body a few days ago and which was calculated to prevent the development of a privately owned merchant marine, did not offer the amendment then? Some of us were trying to prevent the passage of that measure, which would, in our opinion, delay the development or the creation of a merchant marine, and suggestions were made as to methods by which a merchant marine, to be privately owned and privately operated, could be brought about. Why did not the Senator offer the amendment on that bill?

Mr. WILLIS. There are several reasons for that. In the first place, this was a separate bill already reported from the committee and pending upon the calendar. I myself have never liked the procedure of offering one bill as an amendment to another. It tends to complicate the situation. That is one very good reason.

To be perfectly frank about it, here is another reason. I offered, as an amendment to the bill to which the Senator refers, in which I think I had the support of the Senator himself, to strike out the provision for a unanimous vote required by the terms of the bill and to insert a provision to enable the board to act by a vote of five out of the total membership of seven. That amendment was voted down. The disposition manifested here was to vote down any amendment offered, so I thought it was rather injudicious to bring this matter up at that time. At any rate, the measure is now before us on its own merits.

Mr. KING. The Senator will regard this, of course, as a form of subsidy to those engaged or who may engage in the construction of ships.

Mr. WILLIS. The Senator might so denominate it. It is an indirect aid, but I hope the Senator will recall that what I am trying to do is simply to carry into effect the evident purpose of the merchant marine act of 1920. The evident purpose of that act was to give this aid to shipowners for the period of 10 years, beginning in 1920. But the act referred to the income tax law of 1918, and when that was superseded by the act of 1921 of course the department, very properly I think, decided that it does not apply here; so we are simply trying to carry into effect the evident purpose of the act of 1920.

Mr. KING. As an original proposition, or if we had a bill before us for the establishment or development of a merchant marine, I concede that perhaps a measure of this kind might be meritorious. It is possible that with the foreign competition in ocean trade there must be some indirect aid given to privately owned and privately operated ships engaged in that trade. It is possible that one of the indirect aids is to relieve them from taxation, providing the equivalent is to be expended in the construction of ships. Another would be by discriminatory duties. In fact, there are many suggestions which could be made which, in my opinion, would develop a merchant marine. We turned all of those propositions down and elected to have the Government enter upon the construction and operation of ships and to destroy, in my opinion, every possibility or probability of private capital being utilized in the construction of ships for ocean travel. I think the measure of the Senator will prove a nullity if the bill which passed the Senate the other day should receive the approval of the other body and the Executive.

I shall not object to the consideration of the pending bill, but I think I shall be constrained to vote against it.

Mr. COPELAND. Mr. President, when this matter was up in committee I suggested to the Senator from Ohio [Mr. WILLIS], as the Senator from Utah has now suggested, that it is in the nature of a subsidy, but since I am in favor of encouraging a privately owned merchant marine I shall vote for the bill. Of course, no one who voted for the bill which passed the Senate the other day could possibly vote for the bill presented now by the Senator from Ohio, but personally I hope it will prevail.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Ohio, which will be stated.

The CHIEF CLERK. On page 2, line 4, after the word "shall," insert the word "forthwith," so as to make the bill read:

Be it enacted, etc., That section 23 of the merchant marine act of 1920, approved June 5, 1920, be, and is hereby, amended so that the second paragraph thereof shall read as follows:

"That during the period of 10 years from June 5, 1920, any person, a citizen of the United States, who may sell a vessel documented under the laws of the United States and built prior to January 1, 1914, shall be exempt from all income taxes that would be payable upon any of the proceeds of such sale under the revenue act of 1918, or under any subsequent revenue act in force during such 10-year period, if the entire proceeds thereof shall forthwith be invested in the building of new ships in American shipyards, such ships to be documented under the laws of the United States and to be of a type approved by the board."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FIRST NATIONAL BANK OF NEWTON, MASS.

The bill (S. 2447) for the relief of the stockholders of the First National Bank of Newton, Mass., was announced as next in order.

Mr. BRATTON. I ask that that bill go over.

Mr. WALSH of Massachusetts. Mr. President, I hope the Senator who objected to the consideration of the bill, the title to which has just been read, will withhold the objection so that the Senator from Delaware [Mr. BAYARD], who reported the bill, may explain it. The bill has been unanimously reported favorably by the Committee on Claims.

Mr. BRATTON. I withhold the objection so that the Senator from Delaware may explain it.

Mr. BAYARD. Mr. President, this bill provides for payment of interest on a claim which was adjudicated by the Court of Claims. The amount of the claim as determined by the Court of Claims was finally paid, but the interest thereon was never paid. The facts briefly are these: In 1867 the Newton National Bank was engaged in business in Boston, Mass., and at the same time there was a subtreasury located in that city. The official in charge of the Federal subtreasury there abstracted funds on deposit in the subtreasury and used them for his own purposes in the way of speculation. He took with him in this speculative operation other people, including the cashier of the bank in question. The time came when he was out of pocket and could not make good the losses he had sustained upon the market by the use of these Federal funds. He then found out that in a short time an examination would be made by the traveling auditor of the Federal Government, and for the purpose of making good his accounts he called upon his friends in the Newton Bank and in other banks to lend him funds and securities of those banks, including the bank in question, for the purpose of making good his account and showing to the traveling auditor of the Federal Government that his accounts were all square.

He agreed with the cashier of the Newton Bank that the funds obtained from the Newton Bank should be so earmarked that after the examination was held by the Federal auditor those funds would be promptly and at once returned by this rascally Federal employee to the Newton National Bank. Unfortunately, however, when the examination was about to be made, this Federal employee lost his nerve, confessed to his act, and stated that he was guilty of the defalcation. This was done after the funds had been taken from the Newton Bank and placed in the Federal subtreasury. In other words, the Federal Government then became possessed of money stolen through the agency of its own officer, knowing at the time that it was stolen.

Thereafter a claim was made upon the Federal Government. The case was referred to the Court of Claims and was there adjudicated against the Government, and in 1881 or 1882—I have forgotten which—the Federal Government appropriated money to pay the principal of the claim; but no interest was ever paid upon the amount of money utilized by the Government between

the years 1867 and 1881 or 1882 when the claim for the principal was paid. This bill is for interest at an average rate of 4½ per cent, which was the amount of interest paid by the Federal Government during the period the Government had these funds. It obtained them through the rascality of one of its own officers; it knew they were stolen at the time it received them; yet it kept using these stolen funds, knowing they were stolen during this period, and did not pay them back until 1881 or 1882.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. BAYARD. Yes, sir.

Mr. CARAWAY. Did not the Newton National Bank know that the funds had been stolen; and did it not retain the cashier in his position?

Mr. BAYARD. The Newton National Bank was not informed as to this theft until after it was confessed by the Federal employee. The cashier had no power except the physical power to extract these securities and these moneys; that could only be done legally by resolution of the board of directors, and they knew nothing of it until after the transaction had taken place.

Mr. CARAWAY. I should like to ask the Senator another question. As I understand, the man who defaulted was an officer of the Federal Government in the subtreasury; he had embezzled moneys belonging to the Government; he was to be checked up; he knew he was short; and I understood that he went to the Newton National Bank and told them that he wanted to borrow this money and have it to his credit so that he could show that he was not short.

Mr. BAYARD. He did tell the cashier, but the cashier is the only person he told. The cashier then stole the money from the Newton National Bank to help him out, and he did it contrary to the rules and regulations of the national bank; nor did he give any information to any officer of the national bank or have any permission from the national bank so to do.

Mr. CARAWAY. Did he not have charge of the moneys of the national bank? Was he not the officer of that corporation that had the exclusive right of loaning money?

Mr. BAYARD. It does not so appear. He took it contrary to the law. He had the physical power but not the delegated legal power for the purpose of abstracting that money from the bank.

Mr. BRATTON. Mr. President, will the Senator allow me to ask him a question?

Mr. BAYARD. Certainly.

Mr. BRATTON. The cashier of the bank did have knowledge of the entire transaction?

Mr. BAYARD. Unquestionably so.

Mr. BRATTON. And delivered the money and securities into the possession of the agent of the Federal Government for the purpose of carrying out a fraudulent transaction?

Mr. BAYARD. Unquestionably so.

Mr. BRATTON. Under those circumstances, Mr. President, I doubt very much if the Government is liable morally or legally. The whole transaction was fraudulent from the start; and if the bank, acting through one of its executive officers, participated in it with knowledge of the fraud, I am unable to see where any moral responsibility rests upon the Government to aid its coconspirator in the fraud.

Mr. BAYARD. I will answer the Senator by saying that the Government has acknowledged that conspiracy in more ways than one. In the first place the Government, by action of Congress, referred the matter to the Court of Claims, and the Court of Claims found judgment in favor of the bank as against the Federal Government for this amount of money. Furthermore, the Government has paid the flat amount of money which was stolen and received by the Government. The Government has acknowledged the matter, so far as it is concerned, all the way through.

Mr. TYDINGS. Mr. President, as I understand the law on the question, it is that the possession of stolen money does not give title to it. The title is always in the lawful owner. The fact that the Government had this money did give it physical possession, but it never did have lawful title to it.

Mr. BAYARD. No; but the Government had the use of it for a period of years; it used it during that period but has never paid interest on it.

Mr. TYDINGS. The Senator from New Mexico has said that, theoretically, the Government should have the right to take title to this money; but, as a matter of law, in any court of the land stolen property does not carry with it title. The man who owns it owns against everybody, and nobody can take it from him.

Mr. CARAWAY. May I suggest in reply to the Senator that where two people have been engaged in a conspiracy to perpetrate a wrong, then no court on earth will relieve either one

of them. It is necessary to come into court with clean hands. No one can come here and say, "I have engaged in a conspiracy to defraud the Government; I got caught; I lost money, and I now want it back." That is the case before us.

Mr. TYDINGS. The Senator will admit, nevertheless, that the party who had the funds was the Government and not an innocent third party. The purchase of stolen property from a "fence," even though bought innocently, does not give a right to the property.

Mr. CARAWAY. But certainly the "fence" can not go into the court and say, "I engaged in a game to try to protect the thief and they took the property away from me, and now I want the Government to pay me because I did not successfully perpetrate my larceny."

Mr. TYDINGS. The stockholders of the bank at Newton were not in that category.

Mr. CARAWAY. Who made that man the cashier of the bank? It must have been the stockholders of the bank.

Mr. TYDINGS. That is all right; but the fact that I may hire a man who steals my horse does not give the man to whom he sells it or gives it the title to it, although he was employed by me.

Mr. CARAWAY. If that is true, all you have got to do is hire a crooked agent, and if he fails to get away with the goods establish the fact of the burglary.

Mr. TYDINGS. That is not a parallel case, because you would not hire an agent knowing he is a crook.

Mr. BAYARD. Mr. President, let me say to the Senator from Arkansas that the Court of Claims found it to be a fact that the Federal Government received this money through its own proper officer knowing it was stolen money at the time it received it.

Mr. CARAWAY. If it knew, then you charge the Government with knowledge of its agent, and then excuse the bank and say it is not responsible for its agent.

Mr. BAYARD. No; I do not do that.

Mr. CARAWAY. The cashier represented the bank and the agent of the Government represented the Government and the two perpetrated a larceny and an embezzlement.

Mr. BAYARD. No; because the agent of the bank had no power which authorized him to steal this money or take it in that way.

Mr. CARAWAY. Neither did the agent of the Government.

Mr. BAYARD. But the Government maintained and kept control for nearly 13 years of this money which had been stolen.

Mr. CARAWAY. Of course, it knew that somebody stole this money, but that person then went to somebody else who tried to help him get away with it, who tried to replace it and did replace it, and now the Government is asked to pay on account of a conspiracy to steal entered into between its agent and somebody else's agent.

Mr. BAYARD. Oh no. I want the Government to pay for the use of the money and securities it had during this time. Let me say to the Senator that some of the securities were Federal Government securities bearing interest, and the Government clipped its own coupons and put the proceeds in its own pocket during that period.

Mr. CARAWAY. Of course, it was money to replace money which had been stolen, and the person who supplied it did so with a desire to help defraud the Government.

Mr. TYDINGS. Mr. President, will the Senator yield to me?

Mr. BAYARD. I yield.

Mr. TYDINGS. I understand that the principal of the money was returned by the Government to the bank?

Mr. BAYARD. It was returned after a finding by the Court of Claims.

Mr. TYDINGS. The Government would not have turned over that money unless it was legally bound to do so. The fact that it did turn over the principal and in the meantime had collected part of the principal in the form of interest which had accrued shows in itself that if they were bound to turn over the principal they were also legally bound to turn over everything they got because of the transaction.

Mr. BAYARD. Unquestionably.

Mr. CARAWAY. Mr. President, just a moment. If there were a legal obligation involved, the bank would not be here. They never got a cent because of any legal obligation; they got it by an act of Congress; and Congress does not have to be invoked in the case of legal obligations and does not act through the Committee on Claims when obligations are involved which can be enforced.

Mr. BRATTON. Mr. President, will the Senator yield?

Mr. TYDINGS. Will the Senator yield for just one more question?

Mr. BAYARD. I yield first to the Senator from New Mexico.

Mr. BRATTON. The obligation here could not be called anything except a moral one, and I am not able to brand it in that manner when it is conceded that it is to carry out a fraudulent conspiracy to which the bank was a party. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will go over.

JOHN A. FOX

The bill (S. 1325) for the relief of John A. Fox was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to John A. Fox, of Springville, Utah, \$786.28 in reimbursement of labor and expenditures made by him upon his stock-raising homestead entry No. 019731, Salt Lake City series, embracing the southwest quarter and east half of section 17 in township 8 south, range 5 east, Salt Lake meridian, Utah, the patent for which was annulled by decree of court for the reason that the land was at the date of entry and patent within a national forest and not subject to entry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PORTER BROS. & BIFFLE

The bill (S. 1476) for the relief of Porter Bros. & Biffle and certain other citizens was announced as next in order.

Mr. KING. I ask that that bill go over.

Mr. THOMAS. I ask that the bill be passed over for the present without prejudice.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

BERT MOORE

The bill (S. 2457) for the relief of Bert Moore was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Bert Moore \$5,000, in full settlement of all claims for injuries sustained by reason of being shot and seriously wounded by a military guard at Fort Logan H. Roots on the night of April 23, 1925.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STEAM TUG "CHARLES RUNYON"

The bill (S. 2471) for the relief of the owner of the American steam tug *Charles Runyon* was announced as next in order.

Mr. KING. I should like to have an explanation of that bill.

Mr. COPELAND. Mr. President, the bill whose title was just read and the two bills which follow it on the calendar, being Orders of Business 87, 88, and 89, are similar. They have all been before Congress at least once previously, have been approved by the Senate Committee on Claims, and have passed the Senate at least once. Both Order of Business No. 87 and Order of Business No. 88 were recommended by the Secretary of the Navy, who stated that they ought to be passed; and Order of Business No. 89 had the same recommendation. I think they have all been considered heretofore. They simply propose that the matters which are involved shall be referred to district courts of the United States sitting as admiralty courts.

Mr. KING. Very well; I have no objection to the consideration of the bills.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2471) for the relief of the owner of the American steam tug *Charles Runyon*. The bill was read, as follows:

Be it enacted, etc., That the claim of the Crew Transportation Corporation, owner of the American steam tug *Charles Runyon*, and/or the receiver and/or trustee of the said corporation against the United States of America for damages alleged to have been caused by collision between said vessel and the U. S. S. *Trafic* on or about the 6th day of May, 1919, at or near Pier C, navy yard, Brooklyn, N. Y., may be sued for by the said owner and/or receiver and/or trustee in the District Court of the United States for the Eastern District of New York, sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owner of the said American steam tug *Charles Runyon*, and/or receiver and/or trustee of aforesaid, or against the owner of the said American steam tug *Charles Runyon* and/or the receiver and/or trustee of said corporation, in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMERICAN STEAM TUG "W. S. HOLBROOK"

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2516) for the relief of the owners and/or receiver of the American steam tug *W. S. Holbrook*, which was read, as follows:

Be it enacted, etc., That the claim of the owners of the American steam tug *W. S. Holbrook*, and/or the receiver of said property, against the United States of America for damages alleged to have been caused by collision between said vessel and the United States Navy steam tug *Pentucket* on or about the 1st day of November, 1917, at the navy yard, Brooklyn, N. Y., may be sued for by the said owners and/or receiver in the District Court of the United States for the Eastern District of New York sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owners of the said American steam tug *W. S. Holbrook* and/or receiver aforesaid, or against the owners of said American steam tug *W. S. Holbrook* and/or receiver of said vessel in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BARGE "CONSOLIDATION COASTWISE NO. 10"

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2517) for the relief of the owner of the barge *Consolidation Coastwise No. 10*, which was read, as follows:

Be it enacted, etc., That the claim of the owner of barge *Consolidation Coastwise No. 10* against the United States of America for damages and loss alleged to have been caused by collision between the said barge and barge *Consolidation Coastwise No. 24* when said No. 10 was in tow of the United States Navy steam tug *Mohawk*, in or near Hampton Roads, Va., on or about the 24th day of October, 1918, may be sued for the said owner of barge *Consolidation Coastwise No. 10* in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owner of barge *Consolidation Coastwise No. 10*, or against the owner of barge *Consolidation Coastwise No. 10* in favor of the United States, with the same powers as if said suit was brought in accordance with the provisions of the suits in admiralty act of March 9, 1920, and said decree or judgment shall be paid as provided in said act: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEWIS C. HOPKINS & CO.

The bill (S. 2316) for the relief of Lewis C. Hopkins & Co. was announced as next in order.

Mr. KING. Mr. President, I should like an explanation of that bill.

Mr. EDGE. Mr. President, a bill similar to this was passed at the last session of Congress. It provides for a refund of excess duty as between crude camphor and what is known in the Treasury Department as refined camphor. The Treasury Department checked up the 19 entries very completely and fully and report that the firm is entitled to relief.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Lewis C. Hopkins & Co., of No. 18 Old Slip, New York, N. Y., \$50,522.52, being the amount paid as customs duties on importations of Japanese B B crude camphor, imported during the years 1922 and 1923, customhouse entries for which were liquidated at the rate for refined camphor and not protested within the period provided by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPHINE DOXEY

The bill (S. 2524) for the relief of Josephine Doxey was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. On objection, the bill will be passed over.

Mr. TRAMMELL. Mr. President, will the Senator from Utah permit me to make an explanation in regard to that bill?

Mr. KING. Yes; I withhold the objection.

Mr. TRAMMELL. The claimant was an employee of the Bureau of Engraving and Printing. In 1918 she suffered a severe accident while on duty and was confined to the hospital and on a sick bed for a number of weeks thereafter. She did not, however, comply with the technical requirements in the matter of making application for compensation within the time specified in the law. When she filed the application the Compensation Commission took the position that it had not been filed in time. That was one of the questions which that bureau raised, but the Superintendent of the Bureau of Engraving and Printing urged upon the Compensation Commission that her case was meritorious and that it was one which came within the provisions of the law entitling her to compensation of \$50 per month.

Mr. EDGE. Is this bill—

Mr. KING. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. EDGE. Also, Mr. President, I notice by the report that the Assistant Secretary of the Treasury recommended compensation.

Mr. TRAMMELL. That is correct. A controversy arose then between the Director of the Bureau of Engraving and Printing and the Compensation Commission as to whether or not she was entitled to this compensation. The physician representing the Compensation Commission did not agree that she was in the injured and afflicted condition physically that she claimed that she was; and, upon the other hand, the physician representing the Bureau of Engraving and Printing, after thorough examination and after close observation of her case for months and months, said that she had suffered this physical disability, that she needed the aid, and that in all justice she was entitled to the aid; but, of course, the Director of the Compensation Commission had the last say on the question as to whether or not she should receive the compensation.

This matter was brought here on account of that conflict between them. The Treasury Department recommends that she have the compensation. The director of the bureau reports that she is entitled to it, and all the reports coming from the bureau sustain that idea. Of course time will not permit going into all the details; but if anyone will read the statements made by the physician representing the Compensation Commission and the arguments made by him, and then take the statements made by the physician representing the Bureau of Engraving and Printing I think he will reach the conclusion, just as the Claims Committee did, that the claimant is entitled to this compensation and should be placed upon the roll. It is recommended by the Treasury Department and by the Director of the Bureau of Engraving and Printing.

Mr. KING. Mr. President, I will say to the Senator, in view of the statement he has made, that I shall not object to a bill that provides for the reopening of the case, and if she has been injured, and the commission shall so find, then that she shall be accorded the compensation to which persons sustaining that character of injury would be entitled; but to fix it irrevocably and apparently for all time seems to me not quite fair to the Government.

Mr. TRAMMELL. Mr. President, I appreciate the position of the Senator, but of course we all know what that means. It means that she would never get anything.

Mr. KING. No; I do not agree to that.

Mr. TRAMMELL. I want to appeal to the Senator. I think justice merits that this poor woman, who suffered this injury while on duty, should be compensated as the bill provides.

Mr. CARAWAY. Mr. President, will the Senator please tell me how she got hurt?

Mr. TRAMMELL. She was on night duty, and about 6.30 that night she went into the cafeteria where they are served at the Bureau of Engraving and Printing, and because of the fact that they had been mopping or scouring the floors there, or something of the kind—

Mr. KING. Some coffee had been spilled upon the floor and she stepped on it.

Mr. TRAMMELL. Yes; something of the kind—on account of the condition of this tiled floor she fell and sustained very

severe injuries, so the doctor representing the Bureau of Engraving and Printing states.

Mr. CARAWAY. Mr. President, may I ask the Senator a question? The commission held that she was not in the discharge of her duty, did they?

Mr. TRAMMELL. No; they did not hold that she was not in the discharge of her duty, or anything of the kind. They raised the point that she had not filed her application according to the regulations within a certain time. That is one point.

Mr. CARAWAY. But that has been gotten over.

Mr. TRAMMELL. Then, later, a controversy arose as to whether or not she had suffered physical disability. The physician representing the Compensation Commission rather took the position that she had not, and went on to talk about other previous ailments that she had suffered, and this and that and the other. On the other hand, the physician representing the Bureau of Engraving and Printing diagnosed the case as being one where the accident brought about the injuries of which she complained and the condition upon which she claimed that she was entitled to compensation.

Mr. CARAWAY. I am just trying to call the Senator's attention to this statement, which comes from the Acting Secretary of the Treasury:

The records appear to establish the fact that Mrs. Doxey was injured as a result of a fall on September 11, 1918. The medical evidence submitted in the case, however, was not such that the United States Employees' Compensation Commission felt justified in considering the case one in which benefits were due her under the provisions of the compensation act.

So they evidently decided that she was not engaged in such discharge of her duty that she was entitled to be compensated.

Mr. TRAMMELL. If the Senator will read the whole testimony, I do not think he will find that it carries out that idea.

Mr. CARAWAY. That is included in this report which the Senator filed.

Mr. EDGE. I think the award is \$12.50 a week, \$50 a month; is it not?

Mr. TRAMMELL. Yes; \$50 a month.

Mr. EDGE. Which, as I understand, is less than would have been paid—

Mr. CARAWAY. I am not contesting that. I was just trying to find out if it is not an effort to put somebody on the compensation roll that is not entitled under the law to go there.

Mr. TRAMMELL. I think she is entitled to go there.

The PRESIDENT pro tempore. Is the objection to the bill still maintained?

Mr. CARAWAY. I do not object to it.

Mr. KING. I object to it.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF PRACTICE AND PROCEDURE IN FEDERAL COURTS

The bill (S. 1094) to amend the practice and procedure in Federal courts, and for other purposes, was announced as next in order.

Mr. REED of Pennsylvania. Let that go over.

Mr. CARAWAY. Mr. President, I want to ask the Senator from Pennsylvania a question. As I understand, he objects to the bill. Does the Senator object to having it considered?

Mr. REED of Pennsylvania. I object to having it considered when the Senate is on unobjected bills. It will require some discussion.

Mr. CARAWAY. It has passed the Senate. I want to appeal to the Senator from Pennsylvania, because the bill at one time passed the Senate in this form; and it was amended by the Senator from Pennsylvania himself on the floor, and he did not then object. I hope he will withdraw his objection and let us consider it.

Mr. REED of Pennsylvania. It involves so radical a change in the trial of cases at law that I do not feel that I ought to let it go without objection.

The PRESIDENT pro tempore. The bill will be passed over.

MARIA J. M'SHANE

The bill (S. 1655) granting six months' pay to Maria J. McShane was announced as next in order.

Mr. TYDINGS. I move the substitution of the House bill for the Senate bill.

Mr. KING. Is that a valid claim?

Mr. TYDINGS. It is. It is simply to provide a beneficiary for moneys already provided by existing law.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maryland.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1405) granting six months' pay to Maria J. McShane.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.
The PRESIDENT pro tempore. Senate bill No. 1655 will be indefinitely postponed.

LOUISE A. WOOD

The bill (S. 61) granting an increase of pension to Louise A. Wood was announced as next in order.

Mr. KING. Mr. President, may I inquire whether it is customary to pass bills of this character?

Mr. GILLET. Mr. President, it is not unprecedented, but it is, of course, an unusual bill; and I think we all know that General Wood's services, if not unprecedented, were exceedingly unusual. I do not wish to occupy the time of the Senate about a career with which all must be very familiar, unless I could perhaps persuade the Senator not to object.

Mr. KING. Then, of course, it means that the widow of every person who has the same military title that General Wood has would be entitled to the same compensation.

Mr. GILLET. I do not think so. General Wood had an extraordinary career, both as soldier and as administrator. As we all know, as a very young man, when a surgeon, he took charge of a detachment in the Indian war, where he led an expedition at great hazard and difficulty with extraordinary success. After that he returned to practice as a surgeon—

Mr. KING. I am familiar with the record of General Wood, and I would not detract at all from the value of his services or his great ability; but I think for the moment, until we consider the implications and the precedents, we had better temporarily lay the bill aside.

The PRESIDENT pro tempore. The bill will be passed over.

GEORGE A. ROBERTSON

The bill (S. 1541) for the relief of George A. Robertson was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the provisions of the act approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries while in the performance of their duties, and for other purposes," are hereby extended to George A. Robertson for the loss of his right eye while employed by the Department of the Interior in Glacier National Park in the year 1913, and that he be paid such sums as would properly be due him within the provisions of section 4 of the said act of September 7, 1916. The United States Employees' Compensation Commission is hereby authorized and directed to make payments in compliance with the terms of the said act of September 7, 1916, and in accordance with the rules and regulations of said commission. Any money in the United States Treasury not otherwise appropriated is hereby appropriated for the purpose of this act.

Mr. KING. Mr. President, as I understand, this bill is to place the claimant under the provisions of the compensation act. Is that correct?

Mr. WALSH of Montana. It is. At the time the injury occurred, in 1913, the statute was limited to those who suffered injuries in manufacturing establishments, hazardous occupations, and that sort of thing. In 1916 it was expanded to take in all employees of the Government, and this man was denied recovery because he had not been in the service in the particular class of occupations covered by the statute.

Mr. SMOOT. May I ask the Senator if there is a favorable report on this bill?

Mr. WALSH of Montana. Yes. Let me explain: This man was in the National Park Service, a guard in the Glacier National Park in the State of Montana. A storm coming on, he took refuge with another man in a log cabin, and they started to make a fire. An explosion occurred, which injured both of them, and destroyed entirely the sight of this man's eye. Apparently, somebody had dropped a cartridge or something of that kind; so that the injury was received in the regular discharge of his duty.

At that time, however, the statute read as follows:

That when, on or after August 1, 1908, any person employed by the United States as an artisan or laborer in any of its manufacturing establishments, arsenals, or navy yards, or in the construction of river and harbor or fortification works, or in hazardous employment on construction work in the reclamation of arid lands, or the management and control of the same, or in hazardous employment under the Isthmian Canal Commission, is injured in the course of such employment—

Then he may recover, and so forth. This man could not qualify under those classifications.

Mr. SMOOT. But was a special act ever introduced for him?

Mr. WALSH of Montana. No.

Mr. SMOOT. It is a wonder, because nearly every one that was injured has always had a special act.

Mr. FLETCHER. That is what this bill is.

Mr. WALSH of Montana. This bill has been here repeatedly, and I think has passed the Senate several times.

Mr. SMOOT. Not in this form, however. The rule was to give an amount equal to a year's salary. That used to be our rule.

Mr. WALSH of Montana. I think the rule has been to put the claimant under the provisions of the compensation act.

Mr. SMOOT. Very few bills, I will say to the Senator, have ever been passed in that way.

Mr. WALSH of Montana. It seems to me that whatever is done about the matter, that is the most appropriate thing to do. The passage of the bill has been repeatedly recommended by the Department of the Interior. He is to get the same amount that he would get if he had come under the compensation act.

Mr. TRAMMELL. As I remember, this man suffered a most terrible injury—the loss of both eyes. He is completely blind, as I remember.

Mr. SMOOT. I think only one eye.

Mr. WALSH of Montana. One eye.

Mr. TRAMMELL. I remember that he was here, and I knew that he had lost at least one eye. I thought he had lost his sight entirely, however.

Mr. WALSH of Montana. I think that was another case.

Mr. SMOOT. The only reason why I question the advisability of it is that in the past we have always, in injury cases of that kind, given outright a year's salary.

That was brought about because of the fact that the law applied first to the Canal Zone, and the Committee on Claims reported hundreds of bills giving a year's salary to those who were injured similarly to the manner in which this man was injured. If he falls under the compensation act, I do not know how much per month he would receive, because I do not know the extent of his injuries.

Mr. FLETCHER. His right eye is gone.

Mr. WALSH of Montana. On September 7, 1916, the present law was passed, the initial clause of which reads as follows:

That the United States shall pay compensation as hereinafter specified for the disability or death of any employee resulting from personal injury sustained while in the performance of duty.

So that we recognize now, at least, the justice of treating the employees of the Government in this way. I suppose the law states what compensation is given for the loss of one eye. I have not inquired into it.

Mr. SMOOT. Mr. President, I want to have the Government treat this man just as we have treated so many other employees; but I will ask the Senator whether the bill specifically provides any amount, or provides that he shall be given an amount according to the provisions of the act?

Mr. WALSH of Montana. It provides that he shall be paid in accordance with the provisions of the act.

Mr. SMITH. Mr. President, does the law contain a table showing the amounts to be given in different cases?

Mr. WALSH of Montana. The general act provides how much shall be paid for the loss of an eye.

Mr. CARAWAY. Mr. President, will the Senator from Montana yield?

Mr. WALSH of Montana. I yield.

Mr. CARAWAY. I would like to ask the Senator whether he knows how many people have suffered injuries, prior to the enactment of this law, who would be embraced if the act were made retroactive. There is no stronger reason for including this man than anybody else who was injured.

Mr. WALSH of Montana. I have not the information.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN NAVAL AND MARINE OFFICERS

The bill (S. 150) for the relief of former officers of the United States Naval Reserve Force and the United States Marine Corps Reserve who were erroneously released from active duty and disenrolled at places other than their homes or places of enrollment was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with amendments, on page 2, line 1, to strike out the word "erroneously," and on line 2, after the word "conditions," to insert the words "and not at his own request," so as to make the bill read:

Be it enacted, etc., That the General Accounting Office is hereby authorized to pay mileage at the rate of 8 cents per mile, computed by the shortest usually traveled route, for travel actually performed within

one year from date and place of release from active duty or disenrollment to their homes or places of enrollment, to such former officers of the United States Naval Reserve Force or United States Marine Corps Reserve who have been released from active service or disenrolled under honorable conditions and not at his own request at places other than their homes or places of enrollment, upon the presentation by such former officers of satisfactory evidence showing that they actually performed such travel to their homes or places of enrollment: *Provided*, That the provisions of this act shall be applicable only to former officers of the United States Naval Reserve Force or United States Marine Corps Reserve who were actually released from active duty or disenrolled under honorable conditions prior to July 1, 1922.

The amendments were agreed to.

Mr. ROBINSON of Arkansas. Mr. President, I think there should be an explanation of this bill. It may be all right.

Mr. SHORTRIDGE rose.

The PRESIDENT pro tempore. The Senator from California is recognized for that purpose.

Mr. SHORTRIDGE. Mr. President, the title of the bill really indicates its purpose. The Secretary of the Navy, to whom the matter was referred, reports favorably. There is quite an elaborate letter from him to the Speaker of the House, in the course of which he says that it had been submitted to the Bureau of the Budget, and that it was not out of harmony with the financial program.

The matter is simply this: The officers referred to were disenrolled at certain places throughout the United States, and not at the places where they entered into the service. Under the technical provision of the law the Accounting Office was not authorized to allow them mileage to return to their respective homes. All the departments which have looked into the matter deem the relief just and proper, and I hope the bill will pass.

Mr. REED of Pennsylvania. Mr. President, will the Senator permit a question?

Mr. SHORTRIDGE. Certainly.

Mr. REED of Pennsylvania. The bill provides that the General Accounting Office is authorized to pay mileage. Does the Accounting Office make payments?

Mr. SHORTRIDGE. I understand that it is so. The bill is so framed as to authorize the payment of the several amounts when they have been ascertained.

Mr. REED of Pennsylvania. The function of the Accounting Office is to audit payments made by other departments of the Government.

Mr. SHORTRIDGE. Granted.

Mr. REED of Pennsylvania. I meant my suggestion to be helpful. I am afraid it would be said that the Accounting Office has no funds available to pay and never does pay.

Mr. SMOOT. Did the Senator from Pennsylvania object to the word "authorized"?

Mr. REED of Pennsylvania. "Authorized to pay." The Accounting Office does not make payments.

Mr. SHORTRIDGE. I think it wise to let the matter go over temporarily.

Mr. KING. Mr. President, if it is going over temporarily, may I make one suggestion to the Senator?

Mr. SHORTRIDGE. Certainly.

Mr. KING. The report seems to indicate that there are 31,000 officers covered. I can not believe that any such number of officers were separated from the service without getting their mileage home. As a matter of fact, I have not read of any officer who did not get his mileage home after he was separated from the service. I would like to have the Senator, if he can, get the Navy Department to furnish us the information so that we will know approximately the amount involved, and why these officers were not given mileage home when many others were allowed mileage.

Mr. SHORTRIDGE. The information as to the number does come, apparently authoritatively, from the Secretary of the Navy, in his letter to the Speaker of the House. I assumed that that is approximately the number. They were disenrolled at cities and points throughout this great country other than where they were enrolled and entered into the service. Under the law, as it has been interpreted here, there was no legal way for reimbursing them for the expense of returning to their homes.

Mr. FLETCHER. If the Senator will allow, that 31,000 reserve officers was the total number relieved from active duty, but that is not the number covered by this bill.

Mr. SHORTRIDGE. Precisely.

Mr. SMOOT. It specifically says that it is impossible to determine with accuracy the cost of this proposed legislation.

Mr. FLETCHER. They have not separated those who were discharged away from home from the others. The total num-

ber discharged was 31,000, but not all of those would come under this bill.

Mr. SHORTRIDGE. Precisely.

Mr. FLETCHER. I think it would be proper for the Navy Department to let us know what would be involved.

Mr. ROBINSON of Arkansas. It will also be necessary, according to this report of the Secretary of the Navy, to have an additional clerical force in the Navy Department. I think we ought to have more information about this bill.

Mr. SHORTRIDGE. Let me observe, Mr. President, for the benefit of Senators, that I assumed, of course, that this statement from the Secretary of the Navy would be ample information. I do not know, indeed, what further or detailed information we can secure. However, we will look into it further.

The PRESIDENT pro tempore. The bill will be passed over.

EXTENSION OF TIME UNDER COAL PERMITS

The bill (S. 1455) to grant extensions of time under coal permits was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That any coal prospecting permit issued under the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, as amended, may be extended by the Secretary of the Interior for a period of two years, if he shall find that the permittee has been unable, with the exercise of reasonable diligence, to determine the existence or workability of coal deposits in the area covered by the permit and desires to prosecute further prospecting or exploration, or for other reasons in the opinion of the Secretary warranting such extension.

Sec. 2. Upon application to the Secretary of the Interior, and subject to valid intervening rights and to the provision of section 1 of this act, any coal permit that has already expired because of lack of authority under existing law to make extensions, may, in the discretion of the Secretary, be extended for a period of two years from the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The bill (S. 2021) extending and continuing to January 12, 1930, the provisions of "An act authorizing the Secretary of the Interior to determine and confirm by patent in the nature of a deed of quitclaim the title to lots in the city of Pensacola, Fla.," approved January 12, 1925, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the provisions of "An act authorizing the Secretary of the Interior to determine and confirm by patent in the nature of a deed of quitclaim the title to lots in the city of Pensacola, Fla.," approved January 12, 1925, be, and the same are hereby, extended and continued to January 12, 1930.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

U. S. S. "DISPATCH"

The bill (S. 771) providing for the loan of the U. S. S. *Dispatch* to the State of Florida was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized and directed to loan to the State of Florida, for such time and upon such conditions as he deems advisable, for the use of the fisheries department of such State, the U. S. S. *Dispatch*, together with all her apparel, charts, books, and instruments of navigation; but no expense shall be caused the United States by the delivery or the return of such vessel, and the State of Florida shall assume responsibility for all expenses for repair and upkeep of the vessel and for any damage which may be caused to the vessel while loaned to such State.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1271) to more effectively meet the obligations of the United States under the migratory bird treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes, by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and by providing funds for the establishment of such areas, their maintenance and improvement, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

Mr. McNARY. Mr. President, the Committee on Agriculture have reported that bill favorably. Senator KING and others have objected to it coming up at this time for consideration and desire further deliberation on the bill. Under those circum-

stances, until we can determine its exact status, I ask that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

NEAR EAST RELIEF (INC.)

The bill (S. 1287) for the relief of the Near East Relief (Inc.) was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cancel and abandon the claim in the sum of \$632,669 with interest for United States property sold in 1919 to the Near East Relief (Inc.) for use in relieving and supplying the pressing needs of the peoples of the countries involved in the late war.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARIA MAYKOVICA

The bill (S. 2591) for the relief of Maria Maykovica was considered as in Committee on the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$5,000 to compensate Maria Maykovica, a widow without children, for permanent bodily injuries received and sustained by her on the evening of September 23, 1923, when she was struck by an Army truck as she was crossing Barracks Road, about two blocks south of Mannons' Park, St. Louis County, Mo. The injuries sustained included compound fracture of the right leg, entire left arm lacerated, breaking of several ribs, etc., and was caused by negligence of United States soldiers driving the Army truck.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

S. DAVIDSON & SONS

The bill (S. 1122) for the relief of S. Davidson & Sons, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to S. Davidson & Sons, of Marvell, Ark., the sum of \$341.41, out of any money in the Treasury of the United States not otherwise appropriated, on account of forfeiture of bond in case of Will Jones.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

U. S. TRANSPORT "FLORENCE LUCKENBACH"

The bill (S. 2585) for the relief of the owners of the cargo laden aboard the U. S. transport *Florence Luckenbach* on or about December 27, 1918, was announced as next in order.

Mr. KING. Mr. President, is this a bill authorizing reference to the Court of Claims?

Mr. COPELAND. To a district court. It has twice passed the Senate.

Mr. KING. Why not refer it to the Court of Claims?

Mr. COPELAND. It goes to the district court sitting as a court of admiralty.

Mr. KING. I would like to inquire if that has been the custom in dealing with these cases. It seems to me that if that policy shall be pursued, the jurisdiction of the Court of Claims will be greatly narrowed in all of these cases, and all claims against the Government will be referred to the local district courts instead of to the Court of Claims, where now these suits are brought.

Mr. BAYARD. Mr. President, this particular case arose out of an accident which was due to the negligence of a United States ship, and it was found by the board of inquiry that the Federal Government was at fault; but no power lay in that particular department of the Government to award damages. This is a maritime matter, and it was thought best to authorize the company owning this boat to go into the maritime courts with the usual safeguards as to notice, the provision that judgment may be given against the plaintiff, and so on. We passed three or four bills like this this morning—practically the same thing. They have all grown out of maritime accidents. This accident happened in New York, where all the witnesses live.

Mr. KING. I understood that the bills we passed a few moments ago, at the instance of the Senator from New York, were referred to the Court of Claims, that the causes of action, if there were causes of action, were referred to the Court of Claims. The Court of Claims has had jurisdiction of many of these marine disasters, and these claims for damages against the Government for the negligence of those who were operating

Government boats. I was wondering why we now take away from the Court of Claims their jurisdiction and refer the case to the local district court.

Mr. CARAWAY. Mr. President, the courts of admiralty are the courts which have jurisdiction, as the Senator so well knows, of accidents at sea. The Court of Claims has no special qualifications to deal with those cases. I think that in practically every case of this kind we have authorized the people to go into the district court and sue.

Mr. KING. Mr. President, I do not know of a case just like this, but if the Senator will pardon me, I may say that we have had—I was going to say hundreds—at least scores of cases since I have been a Member of the Senate where collisions have occurred between barges or boats owned by private individuals and boats owned by the Government of the United States, by the Navy, or by the Shipping Board, and we have referred those cases to the Court of Claims to determine whether there was liability, and, if so, to assess the damages.

Mr. BAYARD. May I say to the Senator that in the short time since I have been a Member of the Senate ninety-nine and a fraction per cent of these cases have been referred to the district courts as against a fraction of 1 per cent to the Court of Claims. There have been upwards of 150 cases of that kind referred to the district courts.

Mr. KING. I think the Senator is in error if he includes in his statement those cases in which there have been collisions and damages were claimed because of a collision between privately owned and Government-owned vessels.

Mr. BAYARD. That is the very class of cases to which I am referring. I have been on the Committee on Claims during that whole period, and I speak with knowledge.

Mr. BRUCE. Mr. President, I will state to my friend the Senator from Utah that I was for some years a member of the Committee on Claims, and I can corroborate absolutely the statements made by the Senator from Arkansas [Mr. CARAWAY] and the Senator from Delaware [Mr. BAYARD] with reference to that matter. Since I have been a Senator, and during the time I was on the Committee on Claims, a very considerable number of negligence cases have been referred to the district courts of the United States for adjudication.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the claims of all owners of various shipments of merchandise which were laden on board the U. S. transport *Florence Luckenbach*, at the time hereinafter mentioned, against the United States of America for damages alleged to have been caused by fire and by water used to extinguish fire on or about the 27th day of December, 1918, at Locust Point, Baltimore, Md., may be sued for by the said owners of cargo in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suits and to enter judgments or decrees for the amounts of such damages, including costs, if any, as shall be found to be due against the United States in favor of the owners of said cargo, or against the owners of said cargo in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notices of the suits shall be given to the Attorney General of the United States as may be provided by orders of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suits shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COAST TRANSIT DIVISION BARGE "NO. 4"

The bill (S. 2586) for the relief of the owner of the Coast Transit Division barge No. 4 was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the claim of the owner of the Coast Transit Division barge No. 4 against the United States of America for damages and loss alleged to have been caused by collision between said barge and the U. S. S. *Ball* on or about the 17th day of April, 1919, near Pennsylvania Railroad Pier F, Jersey City, N. J., may be sued for by the said owner in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty, and acting under the rules governing such court; and the said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as

shall be found to be due against the United States in favor of the owner of the said Coast Transit Division barge No. 4 or against the owner of the said Coast Transit Division barge No. 4, in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF WATERSHEDS

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 1181) authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended.

ORDER OF BUSINESS

Mr. CURTIS. Mr. President, I understand the bill will take but a short time, and I ask unanimous consent that after its final disposition we shall devote the balance of the afternoon to the consideration of unobjected bills on the calendar, beginning where we left off a moment ago.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request preferred by the Senator from Kansas?

Mr. JONES. The agreement proposed is not to interfere with the presentation and consideration of conference reports?

Mr. CURTIS. No.

Mr. McNARY. Mr. President, the junior Senator from Washington [Mr. DILL] spoke to me about a matter involving a conference report. Before consenting to the unanimous-consent agreement I wish to say to the junior Senator from Washington that I shall give way temporarily for the consideration of conference reports.

Mr. CURTIS. There is no objection to that.

Mr. McNARY. With that understanding, that I may not be unfaithful to my promise to the junior Senator from Washington, I am agreeable.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request preferred by the Senator from Kansas? The Chair hears none, and the unanimous-consent order is entered.

CONFERENCE REPORT—APPROPRIATIONS FOR DEPARTMENTS OF STATE AND JUSTICE, ETC.

Mr. JONES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8269), "making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 11, 16, 23, 29, 30, 32, 33, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 7, 8, 9, 12, 13, 14, 17, 18, 19, 22, 24, 25, 26, 27, 31, 34, 36, 37, 43, and 44; and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$45,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$335,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu

of the sum proposed, insert: "\$3,659,850"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of sum proposed insert "\$859,143"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$260,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,542,080"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 10, 15, 28, 38, 39, and 40.

W. L. JONES,
F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
WM. J. HARRIS,

Managers on the part of the Senate.

MILTON W. SHREVE,
GEORGE HOLDEN TINKHAM,
ERNEST R. ACKERMAN,
W. B. OLIVER,
ANTHONY J. GRIFFIN,

Managers on the part of the House.

Mr. BINGHAM. Mr. President, I should like to ask the chairman of the committee as to what was done with regard to the Senate amendment increasing the amount available for the transportation of Diplomatic, Consular, and Foreign Service officers under the provisions of the Rogers Act?

Mr. JONES. The conferees agreed on \$45,000 instead of \$46,900, as passed by the Senate.

Mr. BINGHAM. What did the conferees do with regard to an increased appropriation for aircraft in commerce?

Mr. JONES. The House agreed to the amount in the first item on page 53 as passed by the Senate, \$702,000, and the item on page 54 was accepted as the Senate passed it, decreased by \$25,000.

Mr. BINGHAM. I thank the Senator.

Mr. LA FOLLETTE. Mr. President, may I ask the Senator from Washington what was done with regard to the increased appropriation for the district offices of the Bureau of Foreign and Domestic Commerce?

Mr. JONES. The House accepted the Senate provisions.

Mr. LA FOLLETTE. I am very much gratified to learn that that was the result.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

INDEPENDENT OFFICES APPROPRIATION BILL

The PRESIDING OFFICER (Mr. Fess in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9481) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1929, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist on its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. WARREN, Mr. SMOOT, Mr. JONES, Mr. OVERMAN, and Mr. GLASS conferees on the part of the Senate.

PROTECTION OF WATERSHEDS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1181) authorizing an appropriation to be expended under the provisions of section 7 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended.

Mr. McNARY. Mr. President, in just a few words I shall explain the very brief bill which is now the unfinished business. The sole purpose of the bill is to authorize an appropriation for the acquisition of forested, cut-over, and denuded areas

on the watersheds of navigable streams. The authority for the legislation is found in the Weeks Act passed by Congress in March, 1911, and the so-called forestry act, known as the Clarke-McNary Act of 1924.

For a period of 17 years, since the enactment of the Weeks law, the Government, by this scheme of acquiring areas through Federal appropriation, has acquired approximately 3,000,000 acres of land. In acquiring these properties the Government has expended \$17,000,000, and, as I said, has acquired practically 3,000,000 acres of land in the forested areas of our navigable streams.

The act of 1924, which is supplementary to the Weeks Act, also required that the Government acquire this area in watersheds of navigable streams, and also provided that the lands may be denuded or cut over. Therefore the Government is able to practice reforestation in those areas where the navigability of streams is not protected now as it used to be when it involved forested areas.

When the bill came before the Senate Committee on Agriculture and Forestry it called for an appropriation of \$40,000,000 extending over a period of 10 years. After hearings were held before the committee an amendment was offered by the Senator from South Dakota [Mr. NORBECK] which changed somewhat the plan of the appropriation. It did not increase the amount, which remains at \$40,000,000, but did shorten the period over which the money should be expended.

The bill, if passed, makes \$1,000,000 immediately available; \$1,000,000 available on July 1, 1928; \$3,000,000 available on July 1, 1929; \$4,000,000 available on July 1, 1930; \$4,000,000 available July 1, 1931; \$5,000,000 available July 1, 1932; \$5,000,000 available July 31, 1933; \$5,000,000 available July 1, 1934; \$5,000,000 available July 31, 1935; and \$6,000,000 available July 1, 1936, constituting the total appropriation of \$40,000,000.

The National Forest Reservation Commission, which cooperates with the Department of Agriculture in the acquisition of these areas, consists of seven members, one of whom is the distinguished junior Senator from New Hampshire [Mr. KEYES]. It is the purpose of the commission, if this appropriation be made, to acquire approximately 2,500,000 acres in the south Appalachian Mountain Range, about an equal amount in the White Mountain region of New England, and about 3,000,000 acres in the three Great Lakes States—Wisconsin, Michigan, and Minnesota.

There is no reason that I can see why I should go into detail concerning the great value which has come through the invoking of section 6 of the Weeks Act. I may add in conclusion that of the \$17,000,000 which has been expended, most of it has been in the Southern States and but little in the Great Lake States or in the New England States. None of the money, it is thought or contemplated, will be expended in any of that section of the country west of the Mississippi River save in two or three border States. The land heretofore acquired has increased in value, at a conservative appraisement, at least \$1,000,000. It is thought that on account of the peculiar situation and the options now controlled by the National Forest Conservation Commission, the areas can be purchased now much more cheaply than they can within a year or two years from now. The purpose to speed up the program is the theory for cutting down the program from 10 years to 8 years.

I ask unanimous consent that, as a part of my remarks, a letter written to me by the Chief Forester may be incorporated in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., January 17, 1928.

Hon. CHARLES L. McNARY,
Chairman Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR McNARY: The request for a report upon the bill S. 1181 is received.

This bill would authorize appropriations aggregating \$40,000,000 at the rate of \$3,000,000 a year for the fiscal years 1930 to 1934, inclusive, and \$5,000,000 a year for the years between 1935 and 1939, both inclusive, these appropriations to be available until expended for the purchase of lands under the provisions of section 7 of the act of March 1, 1911 (36 Stat. 961), as amended by the acts of March 4, 1913 (37 Stat. 828), June 30, 1914 (38 Stat. 441), and the act of June 7, 1924 (43 Stat. 653).

Appropriations under section 7 of the act of March 1, 1911, are for the purpose of acquiring forest lands on the watersheds of navigable streams for preserving their navigability. Under this act and under subsequent legislation appropriations to date have been as follows:

Fiscal year—	
1910 (all reverted to Treasury)	\$1,000,000
1911 (of which \$1,982,679.24 reverted)	2,000,000
1912	2,000,000
1913	2,000,000
1914	2,000,000
1915	2,000,000
1917	3,000,000
1920	600,000
1922	1,000,000
1923	450,000
1924	450,000
1925	818,540
1926	1,000,000
1927	1,000,000
1928	1,000,000
Total appropriations	20,318,540
Reverted to Treasury	2,982,679
Net appropriations	17,335,861

The original plan under which this work was inaugurated contemplated the ultimate acquisition by the Government of 5,000,000 acres in the southern Appalachian region and 1,000,000 acres in the White Mountains region. From time to time the original purchase areas have been enlarged and new areas have been created in Alabama, Arkansas, and Pennsylvania. The purchase areas approved by the National Forest Reservation Commission under the original Weeks law, act of March 1, 1911, as amended, as they now exist, contain a total gross area of 9,171,569 acres. Of this area, however, 927,000 acres is known to possess agricultural, mineral, or water-power values which preclude its purchase. Also, there is 922,815 acres that was reserved from the public domain and 11,369 acres that was transferred from the Treasury Department.

At the present time the purchase of 2,909,588 acres has been authorized within the Weeks law forests, at an average price of \$5.26 per acre, a total cost of \$15,315,540. The net unacquired acreage suitable for national forest purposes in the existing purchase units, therefore, is approximately 4,150,000 acres. Some of this, however, is held at such high prices by the owners that purchase is inadvisable, while other owners are so managing their forest properties that acquisition by the Government is unnecessary.

Ultimately it may prove desirable to establish under the Weeks law additional purchase units, possibly in eastern Kentucky, in southeastern Oklahoma, and in Vermont, States which have passed enabling acts authorizing such action. Not only would the national forests so established protect important watersheds and constitute important sources of timber supply, but they would serve as demonstrational areas. To complete the Weeks law forests, including new units, would require an additional 4,000,000 acres of land, and the expenditure on the basis of previous costs would be \$25,000,000. The major purpose of the bill S. 1181 is to authorize appropriations aggregating this sum over a 10-year period.

Section 6 of the Clarke-McNary Act (43 Stat. 653) broadens the field of purchase under which lands can be acquired under the Weeks law, because of the conviction of the Senate Select Committee on Reforestation (created by S. Res. 398, 67th Cong.), which drafted that act, that the purchase provisions of the Weeks law should be extended in order to permit the establishment of national forests on limited areas in the great stretches of cut-over and denuded forest lands which exist in portions of the eastern half of the United States. The records of the select committee are filled with testimony as to the urgency of Federal assistance, through purchase, in working out the very large problems of restoring these cut-over denuded areas to productive forests, particularly at the hearings held in the Lake States and in the pine districts of the South. (See Rept. No. 28, January 10, 1924.) One purpose of the present bill (S. 1181) would be to authorize appropriations aggregating \$15,000,000 during a 10-year period to carry out the provisions of this section of the Clarke-McNary Act.

Under the present law, which is unchanged by the proposed bill, no purchases can be made in any State without the concurrence of that State through an enabling act adopted by its own legislature. This of itself would dispose of any question as to interference with the rights of jurisdiction of the States concerned. If a State so desires, it may prevent any Federal purchases of forest land within its borders by declining to enact an enabling law, or it may by the terms of its enabling act limit the acreage of land to be acquired by the Federal Government. This has been done by the States in several instances. A State which desires to terminate purchases of land by the National Government can do so immediately by repealing its enabling act. The entire program is thus predicated upon the concurrence of the States, not only in the first instance but through the continuation of the local enabling legislation.

Up to the present time 22 States have passed enabling acts, some of them with area limitations, concurring in Federal purchases of land within their borders under either the Weeks law or the Clarke-McNary law. In the case of three States—Wisconsin, Oklahoma, and Mississippi—the enabling legislation of the State has been enacted subsequent to the passage of the Clarke-McNary law and in pursuance of the policy

of purchase provided by section 6 of that law. In the case of three other States—Florida, Michigan, and Minnesota—while the enabling act preceded the Clarke-McNary law, it became operative only with the enactment of this Federal statute because the class of lands available for purchase could not be acquired except under the terms of section 6 of the Clarke-McNary Act.

Section 6 of the Clarke-McNary law affords opportunity to extend the purchase work in at least six States which have concurred in and invited such extension and which have, in a measure, framed their own State forest policies in anticipation that Federal purchases would be so extended, as section 6 of the Clarke-McNary act contemplated. Failure to extend the Federal policy of buying forest lands would constitute a discrimination against the interests of a considerable number of States which desire to have such purchases made within their borders, and would tend to make the purchase policy a sectional one rather than a national one. Such a course would be contrary to the very pronounced expression of public sentiment all over the country as to the desirability of extending Federal purchases, as the Clarke-McNary law intended should be done.

Section 6 of the Clarke-McNary Act provides, in conformity with constitutional limitations, that all such purchases shall be located within the watersheds of navigable streams. It is, however, the obvious intent of section 6 that, while all such acquisitions are viewed as having a beneficial effect upon the flow of navigable rivers, the primary purpose underlying any specific purchase may be either for the protection of stream flow or for the production of timber. In some of the regions where the benefits of this act should apply the lands will be on the watersheds of navigable streams, but it will not be possible conscientiously to allege that their forest cover will markedly affect navigation, since the major justification for their acquisition will be their value as sources of timber supply, and, more important still, their value as demonstration areas and centers of cooperation with other landowners.

The Lake States offer a specific situation. It is extremely doubtful if any land could be acquired in this section on a conclusive and positive showing of the necessity for such purchases to protect the headwaters of navigable streams. But this region is the logical and necessary source of supply of forest products for a very large section of the United States, including the Dakotas, Nebraska, Iowa, Illinois, Indiana, and Ohio. The Lake States contain an enormous acreage of denuded forest lands. They are now struggling with a tremendous land problem which affects their economic life and rural prosperity to a very serious degree. They have all asked by legislative enactment for the assistance of the Federal Government in the restoration of their denuded forest lands under section 6 of the Clarke-McNary Act. A number of areas have been selected for purchase, all on the watersheds of navigable streams and all in the centers of very much larger sections where every possible effort toward reforestation should be exerted. The areas selected will aid the reforestation of the whole region through timber planting, demonstrations of forestry practice, and areas which will become the centers of effective protection from fire. To deny this form of Federal assistance would mean not only discrimination against the Lake States in the application of a general policy but discrimination against the surrounding States which look to the Great Lakes region for a direct and cheaply available source of timber products.

The Lake States contain large areas of cut-over land which originally supported white and Norway pines. After the virgin timber was cut jack pine and scrub hardwoods followed in many places, but in others even this inferior growth has been practically destroyed by fire so that it will be necessary to reestablish a forest cover by artificial means. The forests of the Lake States have contributed an enormous amount of timber for the upbuilding of the industries of the Nation, and it is essential in our future economy that these lands be restored to timber production. Of the total original forested area of 112,000,000 acres in the three States of Michigan, Wisconsin, and Minnesota less than 24,000,000 acres now remain, while of the cut-over lands 21,000,000 acres are at present estimated to be fire-swept and devastated sand plain and swamp with no promise of future earning value unless prompt and radical measures are taken for rehabilitation. The area is so large and the conditions are so adverse that there is little promise of any large portion of these lands being restored to timber production by other than public initiative unless it can be demonstrated that this can be profitably done by private interests. It is proposed that approximately 2,500,000 acres of land largely of the denuded type described shall be acquired by the Federal Government and administered as national forests. On account of its present unproductive condition it seems that it should be possible to acquire this area at not to exceed \$2.50 an acre, including the cost of purchase. This would necessitate the expenditure in the Lake States of about \$6,250,000.

There already exist in Minnesota two national forests, and especially on the Superior National Forest are there large areas of alienated lands which should be acquired to facilitate efficient administration. In recognition of this fact the National Forest Reservation Commission has created a purchase area embracing the Superior Forest. In Wisconsin there is no national forest, but the State has recently enacted legislation

authorizing the Federal Government to purchase and administer forest lands in the State. Similar legislation has been in existence in Michigan and Minnesota for some time. In Michigan there exist three separate and much-dissected parcels of forest land, consisting of remnants of public domain, which are administered as a national forest. Two of these units have been included within a purchase area with a view to promoting their consolidation and better management. There is urgent need for consolidation of these units for administrative reasons. The purchases proposed in the Lake States would embrace but 4½ per cent of their forest lands, but the consummation of such a program will not only be of utility as a national source of timber supply but of great demonstrational value to the private landowners and the States in this region.

Studies which were made in the southern pine belt show that four-fifths of the original yellow-pine forests has been cut since 1870, and that out of more than 100,000,000 acres of yellow-pine land that have been cut over nearly 31,000,000 acres have not come back to pine, although much of it is more suitable for timber growth than agriculture. During the past few decades the lumber produced in the Southern States has been the mainstay of national consumption. The problem of the unproductive pine lands is more than a local one, and it seems urgent that a system of national forests should be established in this region not only to again make productive a portion of the denuded lands but to serve the important function of demonstrational forests in pointing the way to a profitable development and use of these cut-over and at present unproductive lands. At present there are no national forests within the pine region of the Southern States except the small forests in Florida and the small areas acquired for military purposes, which are now, under the terms of section 9 of the Clarke-McNary Act, administered as national forests. It is believed that 2,500,000 acres of land should be acquired in this region, at a cost of \$3.50 per acre for purchase, which will require an outlay of approximately \$8,750,000. It would involve the purchase of but 2 per cent of the forest lands in the southern pine region.

A number of units for purchase under section 6 of the Clarke-McNary Act have been examined in the southern pine belt. In every case where enabling legislation has been enacted by the State and the State forestry department concurs, it is the purpose of the Forest Service to submit units for the consideration of the National Forest Reservation Commission as soon as funds are made available, in order that purchases may be instituted in the very important southern pine region and the policy of Federal aid in reforestation extended to that section of the country. Local interests are urging the initiation of these purchases, all of which lie within the watersheds of navigable streams, but most or all of which will probably not be classified as necessary to the protection of the navigability of such streams. This entire program, designed to give the southern pine district the benefits of the Clarke-McNary Act, should in equity be carried out.

The maximum purchases possible under the authorizations set up in the Senate bill would embrace but a very small proportion of types of land which require constructive management to reclaim their productive values. The report of the Select Reforestation Committee of the Senate, submitted to the first session of the Sixty-eighth Congress, brings out that the Lake States now contain 26,000,000 acres of second-growth timber or young forest and over 19,000,000 acres of forest land that is practically denuded and barren; and that the southern pine region contains in excess of 30,000,000 acres of denuded land. The purchases possible under the authorizations proposed by the State bill would not exceed two and one-half million acres in the Lake States and two and one-half million acres in the southern pine States. The aggregate of the 5,000,000 acres to be acquired under the policy proposed would mean about one-tenth of the acreage of denuded and cut-over lands existing in these two regions alone in 1923, and only 2½ per cent of their total area of forest land. There can thus be no wholesale buying out of private lands or extinguishment of the rights of the States and counties to tax such lands. The fundamental idea of the entire program is the development of a system of key areas upon which to work out and demonstrate the problems of research, experimentation, and administrative practices essential to successful forest management in the region; and to serve as centers of cooperative action between all interested agencies, looking to State, county, and private agencies for the productive management of the bulk of the forest lands.

To summarize, present circumstances indicate that the complete accomplishment of the intent of Congress, as expressed in the acts approved March 1, 1911, and June 7, 1924, will require the further purchase of 4,000,000 acres to complete the original Weeks law program; of about two and one-half million acres in the Lake States; and of an approximately equal area within the pine belt of the Southern States. Should Senate bill 1181 be adopted, and appropriations later made in accordance with its authorization, the department would be able to make and carry out the plans which are necessary to accomplish the purposes of the Weeks law and the Clarke-McNary law.

On referring this report to the Bureau of the Budget as required by circular 49 of that bureau, the following comment was made by the director, General Lord:

"I have to advise you that if the provisions of the proposed legislation were amended so as to limit the authorization to \$2,000,000 for the fiscal year 1929 and \$2,000,000 for the fiscal year 1930, it would not be in conflict with the financial program of the President. A two-year program of this kind would be in harmony with the authorized program for good roads and also for other Federal aid programs."

Sincerely yours,

W. M. JARDINE, Secretary.

Mr. McNARY. Mr. President, in conclusion may I say that the able Senator from North Carolina [Mr. OVERMAN], who is also a member of the National Forest Conservation Commission, has an amendment to offer, which I have considered at length, in conjunction with the Secretary of Agriculture and the Chief Forester, and, if proposed by the Senator, it is my purpose to accept it.

Mr. OVERMAN. Mr. President, it is well remembered, no doubt, that I fought this bill at the last session with considerable success. I have consulted with the distinguished chairman of the Committee on Agriculture and Forestry [Mr. McNARY], the Chief Forester, and the Secretary of Agriculture. We talked about an amendment which would cover my objection to the bill. They having agreed to it, I shall make no further objection. The amendment reads as follows and is rather a limitation:

Provided, That, except for the protection of the headwaters of navigable streams or the control and reduction of floods therein, no land shall be purchased under the appropriation herein authorized in excess of 1,000,000 acres in any one State.

I understand that the Senator from Oregon will accept the amendment.

Mr. McNARY. Yes.

Mr. KING. Mr. President, may I inquire of the Senator who is offering the amendment why he limits it? In other words, if it is improper to purchase the land at all, why not say so?

Mr. OVERMAN. I think 1,000,000 acres is enough in each State to protect the headwaters of navigable streams. The original bill, which was passed for that purpose, known as the Weeks Act, was held constitutional. This goes into the question of flood control, and the fight I made against it heretofore was that they might purchase not only 1,000,000 but 4,000,000 or 6,000,000 or 10,000,000 acres of land, and thus wipe out an entire State. That is what they could have done if they were authorized to proceed without limit. The limitation to 1,000,000 acres is to protect our navigable streams and also to protect the flood waters.

Mr. KING. I may not quite understand the effect of the amendment, but as I do understand it it simply means that the commission may purchase not to exceed 1,000,000 acres in any one State for flood control. It does not limit them, however, to the purchase of 1,000,000 acres for reforestation or for any other purpose unless the original act itself limits it. In other words, they may purchase more than 1,000,000 acres within any State for reforestation pure and simple.

Mr. OVERMAN. No; they can not purchase more than a million acres.

Mr. McNARY. The application of the bill is simple. It only deals with the navigability of streams and the safeguarding of the watersheds of our streams. It is not apart whatsoever from the main purpose of protecting the navigability of our streams except in those watersheds where the timber has been cut off, where the bill permits replanting or replacement of forests. It does limit the area that may be purchased in any one State to 1,000,000 acres.

Mr. KING. For all purposes?

Mr. McNARY. Yes.

Mr. ROBINSON of Arkansas. The language of the amendment is:

Provided, That, except for the protection of the headwaters of navigable streams or the control and reduction of floods therein, no land shall be purchased under the appropriation herein authorized in excess of 1,000,000 acres in any one State.

The simple and only correct construction of the amendment seems to me to be that for the protection of the headwaters of navigable streams or the control and reduction of floods therein, the limitation does not apply, and any area found necessary may be purchased. The limitation relates to lands purchased for other purposes than the protection of the headwaters and flood control.

Mr. OVERMAN. I think the Senator is not correct about that.

As a part of my remarks, I ask to have printed in the RECORD a statement by the Forestry Department, to accompany my remarks, and also a statement showing the policy of the department with reference to the purchase of these lands.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statements referred to are as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, January 21, 1928.

HON. LEE S. OVERMAN,

United States Senate.

DEAR SENATOR OVERMAN: Since the Clarke-McNary act was passed in 1924, the Forest Service has carefully studied the extent to which forest lands should be acquired by the Federal Government under its terms; first, to protect headwaters and prevent floods on navigable streams, and, second, to promote timber production in cut-over and denuded areas. This has led to the formulation of a fairly complete program, which I desire to submit for your consideration.

In shaping this program three considerations were paramount:

(1) The need for consolidating Federal ownership within national forest units hitherto established by the National Forest Reservation Commission for protecting the headwaters of navigable streams.

(2) The establishment of a few additional areas primarily to protect the headwaters of navigable streams and reduce floods therein. There are still a number of important headwater areas where such protection is needed.

(3) The creation of a limited number of additional national forests within the watersheds of navigable streams but primarily to aid in timber production in regions containing extensive areas of cut-over and denuded land. Such units will also have a beneficial influence in the protection of navigable streams through the restoration of forest cover and the prevention of erosion. The region where this class of national forests are most needed are the pine belt of the South and the northern portions of the Lake States.

The proposed program is summarized in the following table:

State	National forest area acquired or approved	Additional areas to be acquired primarily for watershed protection and flood control	Additional areas to be acquired on watersheds, navigable streams, primarily to aid in timber production	Total area ultimately to be in Federal ownership	Per cent of State area	
					Total land area of State	Total forest area of State
Alabama.....	110,694	552,420	-----	663,114	2.0	3.3
Arkansas.....	1,052,507	433,198	-----	1,485,705	4.4	7.0
Florida.....	343,180	-----	300,000	643,180	1.8	3.3
Georgia.....	247,947	300,872	-----	548,819	1.4	2.8
Kentucky.....	-----	800,000	-----	800,000	3.1	8.8
Louisiana.....	-----	100,000	175,000	275,000	.9	1.6
Maine.....	33,348	74,493	-----	107,841	.5	.7
Michigan.....	187,747	-----	900,000	1,087,747	3.0	5.9
Minnesota.....	1,037,053	-----	700,000	1,737,053	3.4	8.2
Mississippi.....	-----	600,000	125,000	725,000	2.4	4.2
New Hampshire.....	460,013	368,984	-----	828,997	14.0	21.0
North Carolina.....	385,106	882,394	300,000	1,567,500	5.0	8.7
Pennsylvania.....	286,863	356,070	-----	642,933	2.4	5.4
South Carolina.....	43,058	78,104	200,000	321,162	1.6	3.2
Tennessee.....	379,354	372,434	-----	751,788	2.8	6.3
Virginia.....	589,265	515,568	-----	1,104,833	4.2	9.0
West Virginia.....	255,802	384,519	-----	640,321	4.2	7.5
Wisconsin.....	-----	100,000	800,000	900,000	2.5	5.2
Total.....	5,411,937	5,919,056	3,500,000	14,830,993	-----	-----

All of these national forests will serve the important purposes of (1) research, experimentation, and demonstration of methods of forest management; and (2) of cooperation with the States, counties, and private owners in many phases of forestry.

All of these requirements of the situation, as nearly as I have been able to determine them, are set forth, State by State, in the foregoing table. The execution of such a program will be contingent upon the continued concurrence and approval of the States. The Federal law, as you of course know, provides that before any purchases can be made in a State, its consent must be obtained through appropriate action of the legislature. In addition to that it is the policy of the Forest Service to recommend the establishment of purchase areas only in the event that they are specifically approved and concurred in by the forest or conservation agencies of the State concerned. You thus will see that the carrying out of the program outlined rests wholly upon the continued concurrence of the State.

As stated before, the program contemplates the establishment of some purchase areas which will not be primarily for watershed protection or flood control, but to aid the production of timber and the encouragement of sound methods of forest management on surrounding privately owned land. In these cases, of course, watershed protection will be a factor, but another factor in itself justifying the proposed program is that of aiding the States and owners of private land through research and demonstration of the best practices and methods of timber production. This is particularly applicable in regions where vast areas of

cut-over and denuded land present an outstanding land and economic problem.

The program outlined represents an estimated expenditure of \$40,000,000. Of this amount approximately \$25,000,000 will be necessary to complete acquisition within the existing national-forest units in which approximately 4,000,000 acres of land remain to be acquired. In the Lake States the cost of acquiring new units will be approximately \$6,250,000, while in the southern-pine States the cost is estimated to be approximately \$8,750,000. So far as I can foresee, the program proposed will place in Federal control approximately the maximum acreage needed by the Federal Government to carry out its part of the work of watershed protection, flood control, and timber production. The rate at which this program shall be carried out will depend, of course, upon the authorizations and appropriations which are approved by Congress.

As you will note from the table, the percentage of the total land area or the total forested area of any State, proposed for ultimate acquisition by the Federal Government is small. Aside from New Hampshire, where special conditions prevail, the largest percentage of the area of any State to be acquired is in North Carolina, and amounts to but 5 per cent. There can be no danger that the purchase of lands for national forest purposes under this program would be carried to a point where it would militate against the best interests of the State or of the owners of forest land therein.

The future of forestry in the United States, as I see it, rests primarily with the States and with the owners of private forest lands. The function of the Federal Government should not be one of extended land ownership and control so much as one of cooperation and helpfulness. There are, however, certain regions in which Federal ownership of limited areas, especially of land presenting special needs for stream protection or flood control or of land presenting the more complicated and difficult problems of forest restoration would be eminently desirable. It is such areas which are contemplated in the program now under consideration.

Very sincerely yours,

W. B. GREELEY,
Forester.

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, January 20, 1928.

Hon. LEE S. OVERMAN,

United States Senate.

MY DEAR SENATOR OVERMAN: In accordance with our conference of this morning regarding the character and scope of forest purchases contemplated under Senate bill 1181, I am inclosing a memorandum which summarizes in concise form the approximate areas which the Forest Service believes should be acquired as national forests under the terms of existing legislation. These areas are classified as to the major purposes of the purchase. The memorandum also shows the percentage of the area of each State which would be in the ownership of the Federal Government when this program of purchases is completed, and summarizes the more important points in the policy of the Forest Service regarding the extension of national forests in relation to the interests of the States.

I have drafted this memorandum with reference to your using it as an insertion in the CONGRESSIONAL RECORD should you so desire.

In order to clearly express the policy intended under Senate bill 1181, and in accordance with your own suggestion, I suggest that you offer an amendment to this bill as follows:

Amend S. 1181 as reported from the Committee on Agriculture and Forestry January 9, 1928, by adding at the end of line 18, page 2, the following:

"Provided, That, except for the protection of the headwaters of navigable streams or the control and reduction of floods therein, no lands shall be purchased under the appropriations herein authorized in excess of 1,000,000 acres in any one State."

This would, I believe, put the policy entirely in the clear and provide adequate safeguards against any undue extensions of the national forests for purposes other than the protection of the headwaters of navigable streams or the control of floods.

Very sincerely yours,

W. B. GREELEY,
Forester.

Mr. KING. Mr. President, referring to this amendment, I am very greatly confused, as the able Senator from North Carolina is not clear as to the meaning and comprehensiveness or the limitations upon the amendment. If I understand my able leader, the Senator from Arkansas [Mr. ROBINSON], he places the same interpretation upon this amendment which I place upon it, namely, that there may be purchased not to exceed 1,000,000 acres in any one State for the protection of the country from floods.

Mr. ROBINSON of Arkansas. No.

Mr. OVERMAN. No.

Mr. ROBINSON of Arkansas. The Senator from Utah has it just reversed. There is no limitation on the area that may be purchased for the purposes of flood control. There is, however, a limitation on the area that may be purchased for any other purpose than affecting the headwaters of navigable streams and for flood control, and that limitation is 1,000,000 acres. The commission may purchase any area for flood control, but it can only purchase not to exceed a million acres for any other purpose.

Mr. OVERMAN. For the protection of headwaters of navigable streams in excess of 1,000,000 acres may be purchased. That is provided for under the bill, which is known as the Weeks bill. This measure is supplemental to that and provides that not more than a million acres shall be purchased for reforestation in any State. That is as I understand it. The Senator from Oregon will correct me if I am wrong.

Mr. McNARY. Mr. President, I think the amendment which was prepared by the Forester, with the consent of my distinguished friend, rather fits the situation. We all know the limitation on Congress as defined in the commerce clause of the Constitution. The power of Congress is limited to the acquisition of areas that will benefit in some way the navigability of navigable streams. The thought which the Senator from North Carolina had in mind was to place a limitation beyond which the Department of Agriculture could not go, namely, the acquisition of a million acres in any one State. Knowing the limitations, and what the Senator from North Carolina has in his mind, I am willing that the language may be changed to please the Senator from Utah [Mr. KING].

Mr. KING. May I ask the Senator from Oregon for what purpose the appropriation of \$40,000,000 may be made? Will the Senator from Oregon enumerate all the purposes and state where the discretion is lodged?

Mr. McNARY. I think unquestionably the Constitution confers upon Congress the right to appropriate public funds to promote flood control and the navigability of our streams, and one of the incidents to the promotion of navigability is the acquisition and maintenance of forests, to hold back flood waters, and equate the flow of those streams. It has never been my contention that we could, dissociated from the navigable waters of a stream, acquire areas for the purpose of reforestation. This bill and the Weeks Act and the Clarke-McNary Act all go upon the theory that Congress may not acquire any lands unless they are within the watersheds of navigable streams.

The great purpose of this bill and the amendment to the Weeks Act is not only to permit the Secretary of Agriculture, cooperating with the National Forest Conservation Commission, to acquire forest areas but to acquire areas that are denuded, on which trees may be grown to bring about beneficial results that attended the growth and continuance of our ancient forests.

Mr. KING. May I ask the Senator a question?

Mr. McNARY. I shall be very glad to have the Senator do so.

Mr. KING. Is there any provision in the Weeks Act or in any supplemental legislation which attempts to secure the cooperation of the States—because undoubtedly the States receive benefits—and if cooperation is secured, upon what basis is the contribution made?

Mr. McNARY. Under the Weeks Act the Government can not acquire any areas in the watersheds of our navigable streams without the cooperation and consent of the States; a State must first pass an enabling act that will permit it to take advantage of the appropriations made by Congress. That is the safety provision in the bill for the States; that gives the States the right to maintain their sovereignty; and if any State in any section of the country where this law would apply objects to accepting the appropriation, it lies within the power of that State so to do.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The LEGISLATIVE CLERK. On page 2, line 3, the Committee on Agriculture and Forestry proposes to strike out "\$3,000,000 available July 1, 1929; \$3,000,000 available July 1, 1930; \$3,000,000 available July 1, 1931; \$3,000,000 available July 1, 1932; \$3,000,000 available July 1, 1933; \$5,000,000 available July 1, 1934; \$5,000,000 available July 1, 1935; \$5,000,000 available July 1, 1936; \$5,000,000 available July 1, 1937; and \$5,000,000 available July 1, 1938; in all for this period \$40,000,000, to be available until expended" and to insert "available upon the passage and approval of this bill, \$1,000,000; available July 1, 1928, \$2,000,000; available July 1, 1929, \$3,000,000; available July 1, 1930, \$4,000,000; available July 1, 1931, \$4,000,000; available July 1, 1932, \$5,000,000; available July 1, 1933, \$5,000,000; available July 1, 1934, \$5,000,000; available July 1, 1935,

\$5,000,000; available July 1, 1936, \$6,000,000; in all for this period, \$40,000,000, to be available until expended," so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the United States Treasury not otherwise appropriated, to be expended under the provisions of section 7 of the act of March 1, 1911 (36 Stat. 961), as amended by the acts of March 4, 1913 (37 Stat. 828), June 30, 1914 (38 Stat. 441), and the act of June 7, 1924 (Public, 270), available upon the passage and approval of this bill, \$1,000,000; available July 1, 1928, \$2,000,000; available July 1, 1929, \$3,000,000; available July 1, 1930, \$4,000,000; available July 1, 1931, \$4,000,000; available July 1, 1932, \$5,000,000; available July 1, 1933, \$5,000,000; available July 1, 1934, \$5,000,000; available July 1, 1935, \$5,000,000; available July 1, 1936, \$6,000,000; in all for this period, \$40,000,000, to be available until expended.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Carolina to the committee amendment will be stated.

The LEGISLATIVE CLERK. The Senator from North Carolina proposes to add at the end of the committee amendment, in line 18, the following:

Provided, That, except for the protection of the headwaters of navigable streams or the control and reduction of floods therein, no lands shall be purchased under the appropriations herein authorized in excess of 1,000,000 acres in any one State.

The PRESIDING OFFICER. The question is on agreeing to amendment of the Senator from North Carolina to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADRIANO CRUCETA

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

The bill (S. 2420) for the relief of Adriano Cruceta, a citizen of the Dominican Republic, was announced as next in order.

Mr. JONES. Let us have an explanation of that bill.

Mr. ROBINSON of Arkansas. I think we should have some explanation of this bill. It appears to appropriate a small compensation for the unlawful shooting or killing of a person by a United States Marine. I should like to be advised as to the circumstances under which this claim arises, and the manner in which the sum of \$1,000 was arrived at as adequate compensation.

Mr. BLACK. Mr. President, I do not recall, perhaps, the minute details in reference to the bill, but the facts are these: American marines, for some reason—I do not know why—were stationed in the Dominican Republic. One of the marines was doing sentry duty. It became his duty to guard a rubbish pile. He had been instructed not to let anyone interfere with that pile of rubbish. A boy came up and was probing around in the rubbish. He was directed to cease. Then the sentry, taking his duty very seriously, placed the boy under arrest. The boy, as most of his age would have done, ran, and he was shot in the back and killed.

The amount carried in the bill, which, in my judgment, is too small, was agreed upon by the father of the boy, and the statement is made that he would be satisfied to accept the small amount named in the bill in full satisfaction of damages resulting from this unwarranted killing. That is the nature of the bill which was reported favorably from the committee by me.

Mr. ROBINSON of Arkansas. How old was the boy?

Mr. BLACK. The boy's exact age is not given. It is simply stated that he was a boy. I gather that he was something like 12 years of age. That was the conclusion I reached from the facts which appear in the record.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which proposes to pay \$1,000 to Adriano Cruceta as compensation for the death of his son at Santo Domingo, Dominican Republic, resulting from shooting by a member of the United States Marine Corps on the 22d day of August, 1923, the payment to be as a matter of grace and without regard to liability for such death.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIM OF CITY OF NEW YORK

The bill (S. 459) for the relief of the city of New York was announced as next in order.

Mr. SMOOT. I ask that the bill go over.

Mr. COPELAND. Mr. President, I ask that the Senator withhold his objection for a moment.

Mr. SMOOT. I will withhold the objection in order that the Senator may explain the bill.

Mr. COPELAND. The Senate will recall that a statute passed a long time ago reimbursed certain States for various expenditures made at the time of the disturbance from 1861 to 1865. Those States were reimbursed. From time to time since then cities have likewise been reimbursed, amongst others the city of Baltimore. Very recently we passed a bill through the Senate reimbursing the city of Baltimore for its expenditures under exactly similar circumstances as are covered by the bill now under discussion.

It will be recalled that a million dollars was appropriated by the Common Council of the City of New York and bonds were issued in that amount. At my request the Senate in the Sixty-eighth Congress authorized an audit to be made of these accounts. That audit has been very carefully made; all the records have been searched; the original vouchers dug up; and from the determination of the auditors it has been found that while a million dollars was expended a considerable amount was spent for the relief of families of soldiers. The auditors very properly held that that was not a proper charge against the Government, but after excluding all such credits which the Government had a right to ask it was determined by the auditors that the amount of \$764,000 was due the city as stated in the bill.

Mr. President, what we are asking for here is in harmony with precedents. States have been reimbursed, various cities have been reimbursed, and it is only right that the city of New York should be repaid under the conditions set forth in the auditors' recommendations, which are fully set out in the report accompanying the bill.

Mr. SMOOT. Mr. President, I would not want the bill acted upon unless I knew something of the attitude of the officials of the Government in regard to it. I would want to know whether they had made any investigation of it; what they consider to be the obligation of the Government. There is nothing in the report showing the attitude of the officials of the Government, and, therefore, I ask that the bill go over, so that I may obtain that information.

Mr. COPELAND. Of course, I shall accede to the request of the Senator, but I do wish to point out that the claim has been audited by the officials of the Government.

Mr. SMOOT. That may be, but I notice there is not a word in the report to show it.

Mr. COPELAND. If the Senator will look on page 10 of the report, he will find the heading at the top of the page "The result of the audit." This is the official decision of the auditor general after going into the matter very carefully.

Mr. SMOOT. I will take the report to my office and shall ask the department for further information.

Mr. COPELAND. I thank the Senator.

The PRESIDING OFFICER. The bill will be passed over.

ROSE THURIN

The bill (S. 623) for the relief of Rose Thurin, was announced as next in order. The bill had been reported adversely from the Committee on Claims.

Mr. KING. Mr. President, I move that the bill be indefinitely postponed.

Mr. HOWELL. Mr. President, that bill should be indefinitely postponed.

Mr. JONES. Mr. President, I see the Senator from Ohio [Mr. WILLIS], who evidently is interested in the bill, as he introduced it, is not present, and I think it should go over.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

PUBLIC BUILDINGS

The bill (H. R. 278) to amend section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, was announced as next in order.

Mr. KING. I ask that that bill go over.

Mr. KEYES. Mr. President, will not the Senator kindly withhold his objection, in order that I may make a very brief statement concerning the bill?

Mr. KING. Yes; but I thought, in view of the magnitude of the measure and the large appropriations made, the Senator would feel that it could not be disposed of under the five-minute rule.

Mr. KEYES. I think it can be, Mr. President.

Mr. KING. I withhold the objection.

Mr. KEYES. While the amount is large, it does not change the policy that we have already established in the act passed in May, 1926, called our public buildings bill. This bill seeks to

amend section 5 of the public buildings bill simply by increasing the amount of authorization for erecting public buildings outside of the District of Columbia.

The bill originally passed provided for \$100,000,000 outside the District of Columbia. This bill seeks to increase that amount to \$200,000,000. It has passed the House without any serious objection at all and there was no objection whatever in the Committee on Public Buildings and Grounds. The bill is simply to carry out the policy that we have already established and I did not imagine there would be any serious objection to it.

Mr. ROBINSON of Arkansas. Mr. President, I note that in the report of the committee there is the statement—

and that the minimum amount for this purpose should be at least \$2,000,000,000.

That should read "\$200,000,000," I take it, from the statement.

Mr. KEYES. Exactly. That is an error in the printing.

Mr. SMOOT. The report says it was an error in printing.

Mr. SMITH. Mr. President, as I understand, this simply adds to the amount another \$100,000,000. It does not change the law in any respect?

Mr. KEYES. That is just what the bill does.

Mr. SMITH. And it leaves the \$50,000,000 available for the District of Columbia as it was in the original law?

Mr. KEYES. Yes; and makes \$15,000,000 available for buildings outside the District, which were authorized as far back as 1913, I think.

Mr. SMOOT. That was one-tenth of the \$150,000,000. This simply adds \$100,000,000, and increases the \$5,000,000 that the original law provided for to be expended in any one city to \$10,000,000, because of the increase of the appropriation.

Mr. SMITH. What was done with what we might call the preferred buildings that we made provision for?

Mr. SMOOT. They are already appropriated for, and come out of the first \$100,000,000.

Mr. SMITH. They come out of the first \$100,000,000?

Mr. SMOOT. Oh, yes.

Mr. SMITH. And this additional \$100,000,000 is to take care of whatever may be necessary throughout the country?

Mr. SMOOT. Outside of those.

Mr. SMITH. I think it is a very wise provision.

The PRESIDING OFFICER. Does the Senator from Utah insist upon the objection?

Mr. KING. I withdraw the objection.

Mr. OVERMAN. Mr. President, the original bill provided that so many buildings were to be built every year. Does this bill appropriate for those buildings for the next five years? Will this bill cover that?

Mr. SMOOT. This bill doubles it.

Mr. OVERMAN. It does not change the policy at all?

Mr. SMOOT. It does not change the policy, but it doubles the amount of the appropriation.

Mr. KEYES. That is it exactly.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments, on page 2, line 9, after the word "limitation," to insert "beginning with the fiscal year 1928"; and on page 3, line 3, after the words "sum of," to strike out "\$5,000,000" and insert "\$10,000,000," so as to make the bill read:

Be it enacted, etc., That the first paragraph of section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, is amended to read as follows:

"SEC. 5. For the purpose of carrying out the provisions of this act the sum of \$250,000,000, in addition to the amount authorized in section 3 hereof, is hereby authorized to be appropriated, but under this authorization and from appropriations (exclusive of appropriations made for 'remodeling and enlarging public buildings'), heretofore made for the acquisition of sites for, or the construction, enlarging, remodeling, or extension of, public buildings under the control of the Treasury Department, not more than \$35,000,000 in the aggregate shall be expended annually (except that any part of the balance of such sum of \$35,000,000 remaining unexpended at the end of any year may be expended in any subsequent year without reference to this limitation beginning with the fiscal year 1928): *Provided*, That such amount as is necessary, not to exceed \$50,000,000 of the total amount authorized to be expended under the provisions of this act, shall be available for projects in the District of Columbia, and not more than \$10,000,000 thereof shall be expended annually (except that any part of the balance of such sum of \$10,000,000 remaining unexpended at the end of any year may be expended in any subsequent year without reference to this limitation): *Provided*, That at least one-fifth of the expenditures

outside of the District of Columbia during the fiscal year 1927 shall be for the buildings heretofore authorized, and at least one-fifth of the expenditures for the fiscal year 1928 and at least one-fifth of the expenditures for the fiscal year 1929 shall be for a like purpose, unless a less amount shall be necessary to complete all of such buildings: *Provided further*, That expenditures outside the District of Columbia under the provisions of this section shall not exceed the sum of \$10,000,000 annually in any one of the States, Territories, or possessions of the United States."

(b) The last paragraph of such section 5 is amended by striking out "\$150,000,000" and inserting in lieu thereof "\$250,000,000."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ADRIANO CRUCETA

Mr. BLACK. Mr. President, a few moments ago we passed Senate bill 2420, for the relief of Adriano Cruceta. The House has already passed a similar bill, which is No. 182 on the calendar; and it has also been reported favorably.

The PRESIDING OFFICER. Does the Senator ask for the reconsideration of the action of the Senate?

Mr. BLACK. I think it should be reconsidered, and we should act on the House bill.

The PRESIDING OFFICER. The Senator from Alabama asks for the reconsideration of the votes whereby Senate bill 2420 was ordered to be engrossed for a third reading, and passed.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. The Senator now asks for the consideration of the House bill on the same subject.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8889) for the relief of Adriano Cruceta, a citizen of the Dominican Republic.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the Senate bill will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 777) making eligible for retirement under certain conditions, officers and former officers of the Army of the United States, other than officers of the Regular Army, who incurred physical disability in line of duty while in the service of the United States during the World War, was announced as next in order.

Mr. JONES. Mr. President, at the request of the Senator from Connecticut [Mr. BINGHAM], I shall have to ask that that bill may go over.

Mr. TYSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. TYSON. Under what particular rule are we proceeding?

The PRESIDING OFFICER. Under the five-minute rule.

Mr. TYSON. Is it in order to move to take up a bill notwithstanding an objection?

The PRESIDING OFFICER. By a unanimous-consent agreement we are acting upon unobjectioned bills only.

LANDS IN PHOENIX, ARIZ.

The bill (S. 1692) granting a part of the Federal building site at Phoenix, Ariz., to the city of Phoenix for street purposes, was announced as next in order.

Mr. HAYDEN. Mr. President, I find that an identical House bill, H. R. 6466, has been reported to the Senate and is Order of Business No. 205. I ask that the House bill be substituted for the Senate bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6466) granting a part of the Federal building site at Phoenix, Ariz., to the city of Phoenix for street purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. The Senate bill is indefinitely postponed.

ROSE THURIN

Mr. WILLIS. Mr. President, in my absence a few moments ago Senate bill 623, Order of Business 114, for the relief of Rose Thurin, was temporarily passed over. I ask that we return to that bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KING. One moment, Mr. President.

Mr. WILLIS. Mr. President, all I shall ask is an opportunity to vote my convictions upon the bill. I recognize the impossibility of securing favorable action in view of the adverse report. Without criticizing the committee, I feel that they are hardly justified in making that report; but the report is here and, as I say, I shall not resist the action upon it. I can not very well do so.

Mr. HOWELL. Mr. President, I move that the bill be indefinitely postponed.

Mr. ROBINSON of Arkansas. Mr. President, in view of the attitude of the Senator from Ohio, contesting the correctness of the report, I think we ought to have this case determined on its merits. What are the facts upon which the bill is to be indefinitely postponed?

Mr. HOWELL. Mr. President, this is a case where a woman in 1924 slipped down the steps of a post office located in a rented building. The Comptroller General held that she could make no claim against the United States because it was rented property, and, furthermore, that she had the opportunity and privilege of bringing suit against the owners of the property. Therefore, in view of these facts, your committee decided that this bill should be adversely reported and indefinitely postponed.

Mr. ROBINSON of Arkansas. Upon what theory should one recover damages from the owner of a building if she accidentally falls, unless the owner had been negligent in some way? I should like to hear the Senator from Ohio vindicate the attitude he has taken in support of this bill.

Mr. WILLIS. Mr. President, I appreciate very greatly the fine spirit manifested by my friend, the distinguished Senator from Arkansas; but I realize that there are Senators here who want to act upon other bills, and that, in view of the adverse report, we probably can not reverse the action. I am ready to vote upon the bill. I shall vote against the motion of the Senator from Nebraska.

Mr. ROBINSON of Arkansas. But if the Senator from Ohio will give the Senate an opportunity to determine the merits of his case, I assure him that some of us, at least, will not be so unreasonable as to support an unjust report on the part of this committee.

I take it that for some mysterious reason the Senator from Ohio declines to justify his support of the bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. LA FOLLETTE. I call for the regular order.

The PRESIDING OFFICER. The question is upon the motion to postpone indefinitely.

The motion to postpone indefinitely was agreed to.

RADIO REGULATION

Mr. DILL. Mr. President, I desire to ask unanimous consent to take up out of order the amendment to the radio act, and I will state my reason before I make the request.

The Senate Committee on Interstate Commerce has had the confirmation of the Radio Commissioners up for consideration for some time.

Mr. SMOOT. What is the number of the bill?

Mr. DILL. It is No. 228 on the calendar. It was agreed in committee this morning that if certain amendments were made it would make the solution of the question of confirmation much easier. The committee is to meet in a few minutes. I think there will be no objection to the amendments that are in Senate bill 2317, which continue the commission for one year and also limits the commission's power to granting licenses for not to exceed six months, instead of three years.

The PRESIDING OFFICER. Is there objection to the consideration of the bill referred to by the Senator from Washington?

Mr. KING. Do I understand that if it is considered we are limited to the five-minute rule?

The PRESIDING OFFICER. Under the rule we are.

Mr. PITTMAN. Mr. President, of course if the bill is going to bring about any particular debate it would not do very much good to take it up now, I will say to the Senator, because the committee is just about to go into session again. We have found it very difficult, in view of this peculiar situation, either to vote to turn down these appointments or to confirm them, unless the whole matter shall be put in a temporary form; and that is what these amendments mean—just to put it so that we can move along with an experimental process, without committing the Government too far in any of these acts.

Mr. KING. May I ask the Senator, if we pass the bill, will it not in all probability preclude the Senate or the House from considering this whole question of the radio upon its merits?

Mr. PITTMAN. I think not.

Mr. DILL. It does the very opposite.

Mr. PITTMAN. We are trying to preserve it so that that can be done.

Mr. DILL. That is the thing we are trying to do.

Mr. KING. What I mean is, there will be no other legislation, probably, this year.

Mr. PITTMAN. Oh, yes; there probably will be. We are still going on with our hearings, but we do not want to turn down these men. There is nothing particularly against them, and yet there is not so very much that we can find in favor of them. No one understands this subject; that is the truth about it, right now, as I look at it. What we want to do is to make a temporary matter out of this and say that these commissioners shall have their offices expire in two years from the passage of this act.

Mr. KING. I thought it was one year.

Mr. DILL. The present law provides for six years.

Mr. PITTMAN. Their term expires in 1929 under this bill, instead of in six years. The next proposition, the amendment that the Senator from Washington has, is that they shall not be allowed to let licenses that will commit the Government for a long time.

Mr. CURTIS. Mr. President—

Mr. HEFLIN. Mr. President, I want to ask the Senator from Nevada a question. Are the Senator from Nevada and the Senator from Washington in agreement on this matter?

Mr. PITTMAN. Yes; and I think the whole committee are.

Mr. CURTIS. That is the question I wanted to ask. If I may have the attention of the Senator from Michigan [Mr. COUZENS], I have just been informed by the Senator from Michigan that these confirmations are for five years.

Mr. DILL. That is what we are trying to amend, so that it will only be until next February. We are trying to amend the bill so that it will be only until next February. That was our purpose in having this amendment made.

Mr. COUZENS. Mr. President, may I suggest to the Senator from Washington that that can be done just as well after the confirmation, by a new bill abolishing the commission and reenacting it, as it can be done by this process. If this process is followed, we are informed that the House probably will not agree to it, and these confirmations will not be made for a long period of time. The Committee on Interstate Commerce authorized me this afternoon to report favorably the nomination of these three commissioners.

Mr. DILL. Is the Senator opposed to continuing the commission for one year?

Mr. COUZENS. No; but I do not think it ought to interfere in any way with the confirmation of these nominees.

Mr. DILL. I may say to the Senator that it does interfere. That was the view of the members of the committee to-day.

Mr. LA FOLLETTE. Mr. President, I am somewhat confused. The Senator from Washington [Mr. DILL] states that in order to get an agreement with regard to the confirmation of these appointees this bill must be passed at once. The Senator from Michigan [Mr. COUZENS] states that he has just been authorized by the committee to report the nominations favorably. I should like to have the matter cleared up.

Mr. DILL. The understanding was that the bill would be taken up this afternoon.

Mr. COUZENS. We had a meeting at 2.30 and waited for Senators; and it was said they were on the floor and could not come up. There were about 10 of us present, who voted unanimously for confirmation.

Mr. PITTMAN. The Senator from Washington and the Senator from Nevada were present this morning, and the Senator from Montana was present, and the Senator from Missouri was present when the question of the confirmation of these gentlemen came up; and, as I stated, and as the Senator knows, there has been great doubt with regard to their confirmation, not by reason of anything particularly against them but for reasons which appealed to us. I suggested in the committee at that time that if the appointments did not last for a long period of time—say, for six years—

Mr. COUZENS. Five years.

Mr. PITTMAN. That if it were limited to two years from the passage of the act, which would extend the period to February, 1929, I would be willing to vote for the confirmation. Nearly every Senator there spoke up and said, "I think that is the solution of the trouble. We are willing to vote for confirmation for that length of time, but not for six years." Senator DILL and I prepared the amendment. While we were preparing the amendment, we understand now from the Senator that there has been a vote to report out the confirmations.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. COUZENS. I think there ought to be an objection until we get together again.

Mr. DILL. I do not want to take up the time of the Senate—

Mr. CURTIS. Mr. President, there will be an adjournment when the Senate concludes its business to-day. Why not let the matter go over and be taken up in the morning hour to-morrow?

Mr. DILL. I do not want to take up time, and I withdraw my request.

Mr. LA FOLLETTE. Regular order!

The PRESIDING OFFICER. The request is withdrawn, and the clerk will call the next bill on the calendar.

DAVID M'D. SHEARER

The bill (S. 2720) for the relief of David McD. Shearer was announced as next in order.

Mr. SMOOT. Mr. President, I object to the consideration of the bill, and I do not want to have the bill considered by the Senate unless I am present. I have given a great deal of attention to this claim for the last 10 years, or nearly 10 years. Mr. David Shearer was in the employ of the Government and was paid by the Government. All the paraphernalia and the building of the necessary machinery was paid for by the Government.

The PRESIDING OFFICER. Objection is made, and the bill will go over.

Mr. SMOOT. He was then in the employ of the Government. I have gone over this claim a great many times.

Mr. SHEPPARD. Mr. President, will the Senator permit me to make a statement?

Mr. SMOOT. The Senator has a right to make it.

Mr. SHEPPARD. This bill has passed the Senate on a number of former occasions. It carries no appropriation. It provides that this man may submit to the Court of Claims his claim that he is entitled to remuneration for a device which he originated during his off hours, not while he was performing any official duty in connection with the Government. That is his claim.

Mr. SMOOT. When we discuss the matter we shall go over that. The bill passed the Senate when I was not present, but I gave a great deal of attention to the matter, went into it thoroughly, and if he is entitled to compensation—

Mr. SHEPPARD. Allow me to answer the Senator, in order that the Senate may have a proper conception of the controversy. I do not say that Mr. Shearer is entitled to remuneration. The bill does not provide that he shall have remuneration. It merely provides that he may submit his claim to the Court of Claims for adjudication. The courts have held heretofore that if an employee of the Government develops a device in his off hours, and while he is not engaged in the official work of the Government, and the Government takes his patent and uses it, the Government must pay him. I do not claim that this is a case of that kind. It is his contention that it is. The bill provides that he may submit the merits of the measure to the Court of Claims.

Mr. ROBINSON of Arkansas. Mr. President, I would like to ask the Senator from Utah to make plain his reasons for asserting that under no conditions is this claimant entitled to be heard by the Court of Claims.

Mr. SMOOT. Mr. President, in this case all the material was furnished by the Government. If I am informed correctly, this was not done during the man's off hours. I gave days to the consideration of his claim, got statements from the department at the time, and I did not see that he had a shadow of a claim.

Mr. SHEPPARD. The court might take a different view from that of the Senator.

Mr. SMOOT. The court might.

Mr. LA FOLLETTE. Regular order!

The PRESIDING OFFICER. The clerk will call the next bill on the calendar.

VANCOUVER BARRACKS MILITARY RESERVATION

Mr. JONES. Mr. President, I do not like to ask to have a bill taken up out of order, but I have to go to a committee meeting in a very few minutes, and Calendar No. 178 is a local measure which passed the Senate at the last session and has passed the House at this session. I ask for the consideration of House bill 172, an act to authorize the Secretary of War to grant and convey to the city of Vancouver a perpetual easement for public-highway purposes over and upon a portion of the Vancouver Barracks Military Reservation in the State of Washington.

The PRESIDING OFFICER. Is there objection to considering the bill to which the Senator has referred?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. ROBINSON of Arkansas. Is the bill recommended by the Secretary of War?

Mr. JONES. It is recommended by the War Department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHOLIC UNIVERSITY OF AMERICA

The bill (S. 2310) supplementary to, and amendatory of, the incorporation of the Catholic University of America, organized under and by virtue of a certificate of incorporation pursuant to class 1, chapter 18, of the Revised Statutes of the United States relating to the District of Columbia, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the incorporation of the Catholic University of America under chapter 18, Revised Statutes of the United States relating to the District of Columbia, be, and the same is hereby, approved and confirmed.

SEC. 2. That in addition to the rights, duties, and obligations enjoyed and imposed by chapter 18 of the Revised Statutes of the District of Columbia the said university may enter into affiliated agreements with any institutions of learning within or outside of the District of Columbia, for the purpose of giving to students of such institutions the educational facilities of said university, upon such terms as are mutually agreed upon by the said university and the affiliated institutions.

SEC. 3. That said university shall have, and is hereby given, the power to increase the number of its trustees from time to time by a two-thirds vote of the whole number of the trustees at the time such vote is taken to a number not exceeding 50.

In case of the increase of the number of trustees a certificate stating the number of the board and the time when it shall go into effect, and that the action so taken was by a two-thirds vote as required by this act, shall be filed with the recorder of deeds of the District of Columbia.

SEC. 4. The said board of trustees shall have, and are hereby given, full power and authority, by a vote of two-thirds of its members, to adopt and change by-laws for the conduct of the business and educational work of said university, to fix the time of meetings, regular and special, and the form of notice to be given; they may appoint an executive committee composed of trustees, designate the number and chairman thereof, with such powers and authority as are usually exercised by an executive committee, and which shall be conferred by the board subject always to the control of the board of trustees; they may create and establish schools and departments of learning to be connected with and become a part of said university, and establish such scholastic boards and officers as may be required for academic operation and direction in education; they may receive, invest, and administer endowments and gifts of money and property absolute or subject to payments by way of annuities during the life of the donor, for the maintenance of educational work by said university and by any department or chair thereof, now established or which may hereafter be created or established by said university, and they shall have all of the powers and authority heretofore granted to or invested in the trustees of said university by chapter 18 of the Revised Statutes of the United States relating to the District of Columbia.

SEC. 5. That nothing in this act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same.

Mr. SMOOT. Mr. President, will not the Senator who introduced this bill make an explanation of it? There is no report accompanying the bill.

Mr. WALSH of Montana. Mr. President, the Catholic University of America is a corporation organized under the laws of the District of Columbia. It was organized about 1890, I think. It has grown to very extensive proportions since that time, and the authorities of the institution are very desirous of amending the articles of incorporation so as to meet the present requirements.

I supposed, when the matter was presented to me, that it would be a simple thing to have the amendment made pursuant to the laws of the District of Columbia, but I was surprised to find that there is no law of the District authorizing amendments of articles of incorporation of corporations organized here, and the only way to get relief is through an act of Congress.

Mr. SMOOT. I have just read the bill through for the first time, and I see no objection to it.

Mr. WALSH of Montana. A letter from Mr. Hamilton, who is the attorney for the corporation, explains in full the nature of the changes in the articles of incorporation; and I ask that that letter be incorporated in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., January 31, 1928.

Right Rev. THOMAS J. SHAHAN, D. D.,

Catholic University, Washington, D. C.

MY DEAR BISHOP: I am submitting the following as containing the information requested by Senator WALSH in his letter of the 25th instant, addressed to you.

The Catholic University of America was incorporated not under the District Code, which was enacted in 1901, but was incorporated April 19, 1887, under chapter 18 of the Revised Statutes of the United States relating to the District of Columbia.

A printed copy of the certificate of incorporation and of some of the more pertinent sections of said chapter 18 relating to the incorporation of institutions of learning are hereto attached.

Section 676 of said chapter 18, you will observe, provides that

"Congress may, at any time, alter, amend, or repeal this chapter, saving and preserving all rights which may become vested under the same, and may amend or repeal any incorporation formed or created under this chapter." * * *

While the District Code permits corporations existing prior to its enactment to be reincorporated under the code, the Catholic University did not, and does not, desire to be incorporated under the code, because of the number of irresponsible educational institutions incorporated thereunder; but as a matter of fact there is no provision in the code for any amendment.

To increase the number of trustees or directors authorized by the Revised Statutes of the United States relating to the District of Columbia, above referred to, requires an application to Congress; but the Catholic University is seeking other privileges which could not be obtained under the code.

The right to enter into affiliated agreements with institutions of learning within or outside of the District of Columbia, for the purpose of giving to students of such institutions the educational facilities of said university, is asked for in the act introduced by Senator WALSH. This right or privilege has been granted by Congress to another institution of learning, to wit, George Washington University (Columbian College), act of March 3, 1905 (sec. 3, 33 Stat. 1036).

The power to increase, as above stated, its trustees has also been conferred upon the same institution. Section 1 of said act of March 3, 1905, and the power to change its by-laws for the conduct of the business and educational work of the university, to fix time of meetings, regular and special, is also given to the same institution by act of Congress of March 18, 1898 (30 Stat. 328).

The power to establish such scholastic boards and officers as may be required for academic operation and direction in education, and to "receive, invest, and administer endowments and gifts of money and property absolute or subject to payments by way of annuities during the life of the donor," is asked for by the Catholic University in order to clear uncertainties caused by section 523 Revised Statutes of the United States relating to the District of Columbia, which provides that—

"Such corporation shall hold the property of the institution solely for the purposes of education, and not for the benefit of themselves or of any contributor to the endowment thereof."

The great growth and development of the Catholic University and its high standing among the educational institutions of the country require the changes asked for in the conduct of its work and business incident to its development as an institution of learning, and there is no way to obtain these changes except by direct application to Congress required by the sections of the Revised Statutes of the United States relating to the District of Columbia above referred to.

You could say to Senator WALSH that I would be very much pleased to still further discuss these needs of the university with him, or with his committee, if desired by him.

I am returning letter from Senator WALSH and also sending two copies of the bill as reported.

With kind regards, I remain,

Sincerely yours,

GEORGE E. HAMILTON.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE, MINNESOTA

The bill (H. R. 193) to extend the time for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE, MONTANA

The bill (H. R. 444) to extend the time for commencing and completing the construction of a bridge across the Missouri River at or near Wolf Point, Mont., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POTOMAC RIVER BRIDGE

The bill (H. R. 5628) to extend the time for commencing and the time for completing the construction of a bridge across the Potomac River, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSQUEHANNA RIVER BRIDGE, PENNSYLVANIA

The bill (H. R. 6479) to extend the times for commencing and completing the construction of a bridge across the Susquehanna River between the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGES

The bill (S. 820) granting the consent of Congress to R. A. Breuer, H. L. Stolte, John M. Schermann, O. F. Nienhueser, Charles A. Egley, and George C. Eberlin, their successors and assigns, to construct, maintain, and operate a bridge across the Missouri River, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 8, to strike out the word "between" and to insert the words "at or near"; on page 2, line 1, to strike out the words "and a point directly across the river from Hermann in Warren County, Mo."; and on page 3, line 7, to strike out "3" and insert "2"; and on page 4, line 14, to strike out "its" and insert "their," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to R. A. Breuer, H. L. Stolte, John M. Schermann, O. F. Nienhueser, Charles A. Egley, and George C. Eberlin, their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Hermann, Gasconade County, Mo., in accordance with the provision of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Missouri, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 10 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Missouri under the provisions of section 2 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges but within a period of not to exceed 10 years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. That R. A. Breuer, H. L. Stolte, John M. Schermann, O. F. Nienhueser, Charles A. Egley, and George C. Eberlin, their successors and assigns, shall within 90 days after the completion of such bridge, file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said R. A. Breuer, H. L. Stolte, John M. Schermann, O. F. Nienhueser, Charles A. Egley, and George C. Eberlin, their successors

and assigns, shall make available all of their records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to R. A. Breuer, H. L. Stolte, John M. Schermann, O. F. Nienhueser, Charles A. Egley, and George C. Eberlin, their successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to R. A. Breuer, H. L. Stolte, John M. Schermann, O. F. Nienhueser, Charles A. Egley, and George C. Eberlin, their successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Hermann, Gasconade County, Mo."

The bill (S. 821) granting the consent of Congress to O. F. Schulte, E. H. Otto, O. W. Arcularius, J. L. Calvin, and J. H. Dickbrader, their successors and assigns, to construct, maintain, and operate a bridge across the Missouri River was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 8, to strike out "between" and insert "at or near"; on page 2, line 1, after the word "Missouri," to strike out the words "and a point directly across the river from Washington, in Warren County, Mo."; and on page 4, line 14, to strike out "its" and insert "their," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to O. F. Schulte, E. H. Otto, O. W. Arcularius, J. L. Calvin, and J. H. Dickbrader, their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Washington, Franklin County, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Missouri, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 10 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Missouri under the provisions of section 2 of this act, and if tolls are charged for the use thereof, the rates of tolls shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 10 years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing,

and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. That the said O. F. Schulte, E. H. Otto, O. W. Arcularius, J. L. Calvin, and J. H. Dickbrader, their successors and assigns, shall, within 90 days after completion of such bridge, file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said O. F. Schulte, E. H. Otto, O. W. Arcularius, J. L. Calvin, and J. H. Dickbrader, their successors and assigns, shall make available all of their records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to O. F. Schulte, E. H. Otto, O. W. Arcularius, J. L. Calvin, and J. H. Dickbrader, their successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to O. F. Schulte, E. H. Otto, O. W. Arcularius, J. L. Calvin, and J. H. Dickbrader, their successors and assigns, to construct, maintain, and operate a bridge across the Missouri River, at or near Washington, Franklin County, Mo."

The bill (S. 1501) granting the consent of Congress to the State of Montana, or Valley County, in the State of Montana, to construct, maintain, and operate a bridge across the Missouri River at or near Glasgow, Mont., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 7, to strike out the words "at or"; on line 8, to strike out "28" and insert "25"; and on line 8 to strike out "39" and to insert "40," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Montana, or Valley County, in the State of Montana, to construct, maintain, and operate a free bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation near Glasgow, Mont., in township 25 north, range 40 east of the Montana principal meridian, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the State of Montana, or Valley County, in the State of Montana, to construct, maintain, and operate a bridge across the Missouri River near Glasgow, Mont."

ROCK RIVER BRIDGE, ILLINOIS

The bill (S. 1558) granting the consent of Congress to the Chicago & North Western Railway Co. to construct, maintain, and operate a railroad bridge across the Rock River was considered as in Committee of the Whole.

MR. DENEEN. Mr. President, this is identical with House bill 7745, Order of Business No. 168. I ask that the House bill be substituted for this bill.

THE PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7745) granting the consent of Congress to the Chicago & North Western Railway Co., a corporation, its successors and assigns, to construct, maintain, and operate a railroad bridge across the Rock River.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Senate bill 1558 will be indefinitely postponed.

MISSOURI RIVER BRIDGE

The bill (S. 1742) granting the consent of Congress to the Nebraska-Iowa Bridge Corporation, a Delaware corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River was announced as next in order.

Mr. LA FOLLETTE. Mr. President, I am informed that since this bill was reported the Committee on Commerce has adopted another form for this type of bridge. I therefore move that the bill be recommitted to the Committee on Commerce.

The motion was agreed to.

OHIO RIVER BRIDGE

The bill (S. 760) granting the consent of Congress to the Ashland Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River, was considered as in Committee of the Whole. The bill had been reported from the Committee on Commerce with an amendment, on page 5, line 15, to strike out "full" and insert "fully," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Ashland Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation between a point in the city limits of Ashland, Ky., and a point opposite in Coal Grove, Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Ashland Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said Ashland Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Kentucky, the State of Ohio, any political subdivision of either of such States within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches and any interest in real property necessary therefor, by purchase or by condemnation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 30 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interest in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the States or political subdivisions thereof, as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining

the same, and of the daily tolls collected shall be kept, and shall be available for the information of all persons interested.

SEC. 6. The Ashland Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same and for such purpose the said Ashland Bridge Co., its successors and assigns, shall make available all its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act, is hereby granted to the Ashland Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STEAMSHIP "BOXLEY"

The bill (S. 2780) for the relief of the owners of cargo aboard the steamship *Boxley* was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the claim of W. R. Grace & Co., owner of various shipments of merchandise which were laden on board of the steamship *Boxley*, at the time hereinafter mentioned, against the United States of America for damages alleged to have been caused by the unseaworthiness and negligence of the said steamship *Boxley* on her voyage from Iquique, Chile, to New Orleans, La., between the dates of January 5, 1920, and February 14, 1920, may be sued for by the said owners of cargo in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty, and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owners of said cargo, or against the owners of said cargo in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MORGAN MILLER

The bill (S. 2737) for the relief of Morgan Miller was announced as next in order.

Mr. KING. Mr. President, I do not see the Senator from Michigan [Mr. FERRIS] here. I examined the report, which showed that the claimant was injured and in the hospital five days. There is nothing to show any continuation of the injuries. I ask that the bill be temporarily laid aside. It may be an entirely meritorious claim, but there is no evidence here to justify the enactment of the measure.

The PRESIDING OFFICER. The bill will be temporarily laid aside.

ESTATE OF BENJAMIN BRAZNELL

The bill (S. 2765) for the relief of the estate of Benjamin Braznell was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to reopen and allow the claim of the Braddock Trust Co., executor of the estate of Benjamin Braznell, late of Pittsburgh, Pa., and refund the sum of \$2,323.47, the balance of taxes illegally collected under existing laws and decisions.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. LA FOLLETTE subsequently said: Mr. President, in reference to Senate bill 2765, I note upon reading the report that the Secretary of the Treasury recommends that the relief be not granted. I would like to have an explanation of that measure, providing the Senator from Pennsylvania is willing that we shall return to it by unanimous consent.

Mr. REED of Pennsylvania. Of course.

Mr. LA FOLLETTE. I ask that the vote by which the bill was passed be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote is reconsidered.

Mr. REED of Pennsylvania. Mr. President, this is a case which the Treasury admits is just, but claims that it ought not to be allowed because of a failure to file the claim for refund in time.

As a matter of fact, the claim for refund was filed in time, but was general in its wording. The Treasury Department admits that the money ought to be refunded if the refund was claimed in time, and they do not give any reason, as far as I can see, why the claim to which the attention was called was not sufficient.

The bill, as it came to the Senate in the Sixty-eighth and the Sixty-ninth Congresses, passed in both cases with a unanimous report from the Committee on Claims in each case, as is the fact now. The Senator from Delaware [Mr. BAYARD] has reported the bill from that committee.

The PRESIDING OFFICER. Does the Senator from Wisconsin object?

Mr. LA FOLLETTE. I merely wanted to have an explanation.

Mr. BAYARD. Mr. President, this is similar to a bill we passed the other day where all taxes had been paid in good faith, but the question had been raised with the Government that the representatives of the estate had gone down there and had done everything they possibly could. In fact, in this case they paid all the money into the Treasury Department, but the delay was so great on the part of the Treasury officials that it is perfectly true that the statute of limitations had run to a point where they could only make a certain part of the refund. It was no fault of the taxpayers, and this bill is solely to give them an even measure of justice when absolute good faith has been had on the part of the taxpayer. The money was paid in providently, but in good faith.

Mr. ROBINSON of Arkansas. Mr. President, I am convinced, from the statements which the Senator from Delaware and the Senator from Pennsylvania have made, that the bill should pass, but I should like to understand the theory upon which it was held that the statute of limitations ran after claim for refund had been filed, even though it was not in the exact form of language that the Treasury Department would have desired. In other words, do they have strict rules of pleadings there connected with the refunds of taxes? If so, what are they?

Mr. REED of Pennsylvania. Apparently they had at that time. I believe it to be the fact that the records of this estate, as admitted by the department, disclose that such a claim was filed. The department did not say that, however, until their attention had been called to it twice.

Mr. ROBINSON of Arkansas. The adverse report of the Secretary seems to contradict the statement that it was for the reason that the claim for refund was not filed within the proper time.

Mr. REED of Pennsylvania. The first report from the Treasury Department said that no claim for refund had been filed. The second one admitted that a claim had been filed and said in confessing an avoidance:

It does not appear, however, to be specifically directed to the transfers which were considered by the bureau as forming a taxable portion of decedent's gross estate.

As a matter of fact, the claim was filed for the whole thing. I think the position of the department is indefensible.

Mr. LA FOLLETTE. Mr. President, with the explanations which have been made I withdraw my objection.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed.

WAR MINERALS RELIEF CASES

The bill (S. 1347) to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That so much of section 5 of the act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended, as reads "that the decision of the said Secretary shall be conclusive and final, subject to the limitations hereinafter provided," and so much of said section 5 as reads "that nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States," are hereby repealed.

SEC. 2. In cases where final decisions of the Secretary of the Interior have been heretofore rendered appeal to the Court of Claims shall be made within 90 days after the passage of this act; and in all cases where final decisions of the Secretary of the Interior have not heretofore been rendered appeals from such decisions to the Court of Claims shall be made within 90 days after such decisions shall have been rendered by said Secretary: *Provided*, That no acceptance or acquittance by any claimant of or for any settlement made heretofore by the said Secretary shall prevent or estop any appeal to the said Court of Claims, as herein provided for.

Mr. ROBINSON of Arkansas. Mr. President, no report accompanies the bill. If there is a report, it is not in my folder. It appears that this is quite an important bill, and I think we should have an explanation of its purposes.

Mr. ODDIE. Similar legislation has twice passed the Senate and failed of passage in the House, at the last session of Congress because of shortness of time. The Interior Department has ruled on various war claims in a manner that seems arbitrary and not in keeping with the law enacted by Congress. The pending bill provides that the claims shall be referred to the Court of Claims and it seems to me a perfectly fair proposition. The Secretary of the Interior is not in favor of it because he has been opposed to similar legislation heretofore. The Senate has twice passed similar legislation, in a slightly different form, in spite of his opposition. The pending bill places the matter right up to the Court of Claims. I think it is as fair a thing as could be done.

Mr. ROBINSON of Arkansas. What class of claims are embraced in the authorization?

Mr. ODDIE. Only the war minerals relief claims.

Mr. ROBINSON of Arkansas. It does not appear on the face of the bill. However, I have no objection.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INVESTIGATION OF SINKING OF SUBMARINE "S-4"

The resolution (S. Res. 109) creating a committee of the Senate to investigate the sinking of the submarine S-4 was announced as next in order.

Mr. CURTIS. Mr. President, just a few days ago we passed a similar resolution. Therefore I ask that this resolution may go over.

The PRESIDING OFFICER. The resolution will be passed over.

REFUND OF CERTAIN LEGACY TAXES ERRONEOUSLY COLLECTED

The bill (H. R. 7224) to extend the time for the refunding of certain legacy taxes erroneously collected was announced as next in order.

Mr. KING. Mr. President, I see no report accompanying the bill.

Mr. LA FOLLETTE. The Senator will find the report accompanying Calendar No. 14. I think it is an identical bill.

Mr. KING. What committee reported the bill? It does not seem to have emanated from the Finance Committee.

Mr. SMOOT. That is where it should have gone.

Mr. CURTIS. The Committee on Claims reported a similar Senate bill.

Mr. KING. The measure ought to have gone to the Committee on Finance. It involves a very serious question. It seems to me it provides for the return of taxes of a general character and there ought to be a general bill. We ought not to deal with the matter in piecemeal fashion. I shall object to its consideration for the moment.

Mr. LA FOLLETTE. It has been approved by the Secretary of the Treasury, as the Senator will see if he will look at the report accompanying S. 2185, Calendar No. 14.

Mr. REED of Pennsylvania. Mr. President, ought not both the measures to be referred to the Committee on Finance?

Mr. LA FOLLETTE. I have no personal interest in the matter at all, but this morning when Calendar No. 14 was called I objected, observing that it was what I considered to be rather important legislation. Following that the Senator from Massachusetts [Mr. WALSH] called my attention to the report accompanying the bill, and stated that under a Supreme Court decision 95 per cent of such taxes had already been refunded and that the measure was merely to take care of the other 5 per cent.

Mr. REED of Pennsylvania. The Senator would have no objection to the bill going to the Finance Committee?

Mr. LA FOLLETTE. I certainly would have none.

Mr. REED of Pennsylvania. The reason why I ask is that we have in the revenue bill now before that committee some general provisions to take care of these class cases, as they are called, in which typical cases have been taken to the Supreme Court and decided in favor of the taxpayer, while the other members of the class sat by and did nothing but let the statute of limitations run against them.

I do not see why we should relieve this particular group of taxpayers unless we are going to establish a general rule for everybody. I do not think it is fair to ask the Senate to establish a precedent in this case which may embarrass us and cost us many millions of dollars in the other cases. We should solve it as one problem.

Mr. KING. The Senator obviously is not referring to Calendar No. 14 but to the measure concerning which I just challenged attention.

Mr. REED of Pennsylvania. I was referring to both of them, because they accomplish the same thing. One is a Senate bill and the other a House bill, both directed at the same class of taxpayers. Therefore I ask unanimous consent that Calendar No. 14, the bill (S. 2185) to extend the time for the refunding of taxes erroneously collected from certain estates, and Calendar No. 135, the bill (H. R. 7224) to extend the time for the refunding of certain legacy taxes erroneously collected, both be referred to the Committee on Finance.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PENSIONS AND INCREASE OF PENSIONS

The bill (S. 1939) granting pensions and increase of pensions to widows and former widows of certain soldiers, sailors, and marines of the Civil War, and for other purposes, was announced as next in order.

Mr. KING. It will take some little time for the proper consideration of the bill. I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

DEPARTMENTAL PREDICTIONS OF COTTON PRICES

The bill (S. 1413) to prohibit predictions with respect to cotton prices in any report, bulletin, or other publication issued by the Department of Agriculture or the Department of Commerce, and for other purposes, was announced as next in order.

Mr. SMOOT. There is no report accompanying the bill. I would like to inquire if some one can explain it?

Mr. MAYFIELD. Mr. President, I reported the bill. I filed no written report, because I did not think it was necessary. So much has been said about the reports of the Secretary of Agriculture last September, in which he predicted lower prices for cotton, that I did not think it was necessary to file a written report upon this measure.

The bill relates only to predictions of prices of cotton. It does not include grain or corn. Some of the Senators from the Northwestern States suggested that grain and corn be included, but there was some difference among them, and so those farm products were not included. All the Senators from cotton-growing States are in favor of this bill.

Mr. SMOOT. This may be an advantage, but personally I can not see it. We save tens of thousands of dollars in this way by the departmental reports.

Mr. MAYFIELD. I do not think the Senator correctly grasps the purpose of the measure. The Secretary of Agriculture has no authority whatever to make a prediction as to the future price of any farm commodity.

Mr. SMOOT. Does that mean a prediction as to the number of bales?

Mr. MAYFIELD. Oh, no. The measure would only forbid the making of predictions as to the future trend of prices of cotton.

Mr. ROBINSON of Arkansas. The purpose of the measure undoubtedly is wholesome. There is no use or justification for a public officer, whose duty it is to gather cotton statistics, to use his knowledge in attempting to influence the price of a product. It has occurred in the past frequently that forecasts of prices have been made purporting to have been based on statistics gathered, when the statistics themselves are subject to question.

The result has been confusion in the market. I do not know whether such a statute could be enforced, but the purpose of it is certainly wholesome.

Mr. SMOOT. If it is agreeable to the Senators from the cotton States, I certainly have no objection; but I can not see any good that may come from it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That it shall be unlawful for any officer or employee of the Department of Agriculture or of the Department of Commerce to include, or cause to be included, in any report, bulletin, or other publication issued by such departments any prediction with respect to cotton prices, or to cause to be published any such report, bulletin, or other publication containing any such prediction, or to authorize the publication of any statement or interview containing any such prediction which is based upon information received from official sources. Any such officer or employee who violates the provisions of this act shall, upon conviction thereof, be fined not less than \$300 nor more than \$1,000, or imprisoned for not more than one year, or both, and, in addition thereto, shall be removed from office, and shall be incapable thereafter of holding any office under the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS

The bill (S. 2900) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will go over.

ORDER OF BUSINESS—BRIDGE BILLS

The bill (H. R. 108) granting the consent of Congress to the States of North Dakota and Minnesota to construct, maintain, and operate a bridge across the Red River of the North was announced as next in order.

Mr. BINGHAM. Mr. President, I notice that the following calendar numbers, down to and including 169, are all bridge bills and appear to be in the usual form. I ask unanimous consent that they may be considered en bloc.

The PRESIDING OFFICER. Is there objection to considering Calendar Nos. 141 to 169, inclusive, en bloc?

Mr. TYDINGS. Mr. President, would it be out of order to request that all bridge bills on the calendar be included? Why not include all the bridge bills on the calendar? They are all favorably reported by the committee. We might as well dispose of them all together instead of picking out this single block.

Mr. BINGHAM. We ought to have a reference to them.

Mr. SHEPPARD. I think it would be necessary at least to specify the calendar numbers.

The PRESIDING OFFICER. Without objection, Calendar Nos. 141 to 169, inclusive, will be considered en bloc.

Mr. DENEEN. Mr. President, may we not include Calendar No. 122 in that order?

Mr. ROBINSON of Arkansas. Mr. President, this is a very dangerous way to legislate, and I shall object. Let each bill be called and disposed of as it is called.

Mr. KING. Moreover, I venture to suggest that the attention of the Senate heretofore has been called to-day to the fact that a number of these bills are not in the form prescribed by the committee and do not measure up to the standard which has been adopted, and therefore we were compelled to refer some of the bills back to the committee.

The PRESIDING OFFICER. The Chair would ask the Senator from Arkansas whether he objects to the unanimous-consent request of the Senator from Connecticut?

Mr. ROBINSON of Arkansas. I object. I insist that each bill shall be read by title and that the Senate shall be given an opportunity to pass on that particular bill.

The PRESIDING OFFICER. The unanimous consent will be reconsidered without objection, and the clerk will report the bills on the calendar in their order.

BRIDGE OVER THE RED RIVER OF THE NORTH

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 108) granting the consent of Congress to the States of North Dakota and Minnesota to construct, maintain, and operate a bridge across the Red River of the North.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE AT OR NEAR LITTLE FALLS, MINN.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 194) granting the consent of Congress to the county of Morrison, State of Minnesota, to construct, maintain, and operate a bridge across the Mississippi River at or near Little Falls, Minn.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE AT OR NEAR MONTICELLO, MINN.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 199) granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River at or near Monticello, Wright County, Minn.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SNAKE RIVER BRIDGE AT IDAHO FALLS, IDAHO

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 319) to legalize a bridge across the Snake River at Idaho Falls, Idaho.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLEGHENY RIVER BRIDGE AT KITTANNING, PA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 495) granting the consent of Congress to the county of Armstrong, a county of the State of Pennsylvania, to construct, maintain, and operate a bridge across the Allegheny River, at Kittanning, in the county of Armstrong, in the State of Pennsylvania.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BIG SANDY RIVER BRIDGES NEAR DEVON, W. VA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2348) granting the consent of Congress to the Big Sandy & Cumberland Railroad Co. to construct, maintain, and operate two bridges across the Tug Fork of the Big Sandy River, near Devon, W. Va., which had been reported from the Committee on Commerce with amendments.

The first amendment was, on page 1, section 1, line 3, after the words "to the," to strike out "Big Sandy & Cumberland Railroad Co." and to insert "Norfolk & Western Railway Co."; on the same page, in line 7, after the word "and," to strike out "operate railways in Kentucky, its" and to insert "Knox Creek Railway Co., a corporation organized under the laws of Kentucky, their"; on page 2, line 2, after the word "two," to insert "railroad"; in line 4, after the word "at," to strike out "a point" and to insert "points"; in line 8, after the word "act," to insert "entitled 'An act'"; and in line 9, after the word "navigable," to strike out "waters" and to insert "waters," so as to make the section read:

That the consent of Congress is hereby granted to the Norfolk & Western Railway Co., a corporation organized under the laws of the State of Virginia and authorized to do business in the State of West Virginia, and Knox Creek Railway Co., a corporation organized under the laws of Kentucky, their successors and assigns, to construct, maintain, and operate two railroad bridges and approaches thereto across the Tug Fork of Big Sandy River at points suitable to the interests of navigation near Devon, Mingo County, W. Va., where the said Tug Fork forms the boundary line between the States of West Virginia and Kentucky, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The amendment was agreed to.

The next amendment was, on page 2, section 2, line 13, after the words "to the," to strike out "Big Sandy & Cumberland Railroad Co., its" and to insert "Norfolk & Western Railway Co. and Knox Creek Railway Co., their respective," so as to make the section read:

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Norfolk & Western Railway Co. and Knox Creek Railway Co., their respective successors and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the Norfolk & Western Railway Co. and Knox Creek Railway Co. to construct, maintain, and operate two bridges across the Tug Fork of Big Sandy River near Devon, Mingo County, W. Va."

DULUTH SHIP CANAL BRIDGE IN MINNESOTA

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5510) granting the consent of Congress to the city of Duluth, Minn., to construct, maintain, and operate a bridge across the Duluth Ship Canal.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RIO GRANDE RIVER BRIDGE NEAR PRESIDIO, TEX.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5583) granting the consent of Congress to the Kansas City, Mexico & Orient Railway Co. of Texas and the Kansas City, Mexico & Orient Railway Co. to construct, maintain, and operate a railroad bridge across the Rio Grande River at or near Presidio, Tex., which had been reported from the Committee on Commerce with an amendment, on page 2, section 1, line 2, after the name "Ojinaga," to insert a parenthesis mark before the word "formerly"; and in line 3, after the words "Presidio Del Norte," to insert a parenthesis mark, so as to make the section read:

That the consent of Congress is hereby granted to the Kansas City, Mexico & Orient Railway Co. of Texas, a corporation organized under the laws of the State of Texas, and the Kansas City, Mexico & Orient Railway Co., a corporation organized under the laws of the State of Kansas, their successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Rio Grande River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation between Ojinaga (formerly known as "Presidio Del Norte"), on the Rio Grande, on the Mexican side thereof, and a point in the State of Texas, in the county of Presidio, at or near the town called "Presidio," in the State of Texas, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the approval of the proper authorities in Mexico.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

TOMBIGBEE RIVER BRIDGE AT EPEL, ALA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5638) granting the consent of Congress to rebuild and reconstruct and to maintain and operate the existing railroad bridge across the Tombigbee River, at Epes, in the State of Alabama.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GRAND CALUMET RIVER BRIDGE AT EAST CHICAGO, IND.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5744) to authorize the reconstruction of a bridge across the Grand Calumet River at East Chicago, Ind.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLEGHENY RIVER BRIDGE AT OIL CITY, PA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6041) granting the consent of Congress to the Pennsylvania Railroad Co. to construct, maintain, and operate a railroad bridge across the Allegheny River.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAHONING RIVER BRIDGE AT SOUTH AVENUE, YOUNGSTOWN, OHIO

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6045) granting the consent of Congress to the commissioners of Mahoning County, Ohio, to reconstruct, maintain, and operate the existing bridge across the Mahoning River at South Avenue, Youngstown, Mahoning County, Ohio.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAHONING RIVER BRIDGE AT WEST AVENUE, YOUNGSTOWN, OHIO

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6046) granting the consent of Congress to the city of Youngstown, Ohio, to construct a bridge across the Mahoning River at or near West Avenue, Youngstown, Mahoning County, Ohio.

Mr. ROBINSON of Arkansas. Mr. President, I wonder if this is a different bill from the one the Senate just passed?

The PRESIDING OFFICER. The Chair is so informed.

Mr. ROBINSON of Arkansas. Very well.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LITTLE CALUMET RIVER BRIDGE AT WENTWORTH AVENUE, ILLINOIS

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6512) granting the consent of Congress to the county of Cook, State of Illinois, to construct, maintain, and

operate a bridge across the Little Calumet River at or near Wentworth Avenue, in Cook County, State of Illinois.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LITTLE CALUMET RIVER BRIDGE AT ASHLAND AVENUE, ILLINOIS

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6513) granting the consent of Congress to the county of Cook, State of Illinois, to construct, maintain, and operate a bridge across the Little Calumet River at or near Ashland Avenue, in Cook County, State of Illinois.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LITTLE CALUMET RIVER BRIDGE NEAR INDIANA AVENUE, ILLINOIS

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6514) granting the consent of Congress to the county of Cook, State of Illinois, to construct, maintain, and operate a bridge across the Little Calumet River at or near Indiana Avenue, in Cook County, State of Illinois.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAHONING RIVER BRIDGE AT YOUNGSTOWN, OHIO

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6958) granting the consent of Congress to the city of Youngstown to construct a bridge across the Mahoning River at Youngstown, Mahoning County, Ohio.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CANEY FORK RIVER BRIDGE IN DE KALB COUNTY, TENN.

The bill (H. R. 6959) to legalize a bridge across the Caney Fork River in De Kalb County, Tenn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OHIO RIVER BRIDGE AT ROCHESTER, PA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7192) to extend the times for commencing and completing the construction of a bridge across the Ohio River between the municipalities of Rochester and Monaca, Beaver County, Pa.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SNAKE RIVER BRIDGE NEAR INDIAN COVE, IDAHO

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7370) granting the consent of Congress to the State of Idaho to construct, maintain, and operate a bridge across the Snake River near Indian Cove, Idaho.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SNAKE RIVER BRIDGE NEAR SWAN VALLEY, IDAHO

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7374) granting the consent of Congress to the State of Idaho to construct, maintain, and operate a bridge across the Snake River near Swan Valley, Idaho.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE AT GLASGOW, MONT.

The bill (H. R. 7466) granting the consent of Congress to the State of Montana, Valley County, Mont., and McCone County, Mont., or to any or either of them, jointly or severally, to construct, maintain, and operate a bridge across the Missouri River at or near Glasgow, Mont., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELK RIVER BRIDGE AT ATHENS-FLORENCE ROAD, ALABAMA

The bill (H. R. 7913) granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across Elk River on the Athens-Florence road between Lauderdale and Limestone Counties, Ala., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REGISTRATION OF ARCHITECTS IN THE DISTRICT

The bill (S. 2660) to amend an act entitled "An act to provide for the examination and registration of architects and to regulate the practice of architecture in the District of Columbia," approved December 13, 1924, and for other purposes, was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, reserving the right to object, let me say this is a lengthy bill and appears to be of considerable importance. It was introduced by the Sen-

ator from Kansas [Mr. CAPPER] and reported by him. I think there ought to be an explanation of this bill. I do not think we ought to pass measures of this character without some Senator explaining what is in them.

Mr. CURTIS. The junior Senator from Kansas [Mr. CAPPER] is not in the Chamber at the moment.

Mr. ROBINSON of Arkansas. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 781) requiring separate accommodations for white and colored passengers on the street cars of the District of Columbia was announced as next in order. The bill had been reported from the Committee on the District of Columbia adversely.

Mr. LA FOLLETTE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

TREATY FUNDS OF WISCONSIN POTTAWATOMIE INDIANS

The bill (S. 1759) to appropriate treaty funds due the Wisconsin Pottawatomie Indians was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$6,839, being the unappropriated balance of the total amount of \$447,339 due the Wisconsin Pottawatomie Indians of Wisconsin and Michigan under the treaty of September 27, 1833 (7 Stat. L. 442), and the act of June 25, 1864 (13 Stat. L. 172), as set out in House Document No. 830, Sixtieth Congress, first session: *Provided,* That the unexpended balances of \$37,044.55 in the appropriations made for said Indians by the acts of May 18, 1916 (39 Stat. L. 156), May 25, 1918 (40 Stat. L. 589), and June 30, 1919 (41 Stat. L. 29), and which have reverted to the Treasury, are hereby reappropriated; and that said sums, together with the unexpended balance of \$4,347.73 in the appropriation for the purchase of land for said Indians made by the act of June 30, 1913 (38 Stat. L. 102), shall be subject to expenditure for their benefit or payment to them, in the discretion of the Secretary of the Interior.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ARTHUR WALDENMEYER

The bill (S. 2439) to amend the military record of Arthur Waldenmeyer was announced as next in order.

Mr. KING. I ask that that bill go over.

Mr. BINGHAM. Mr. President, I hope the Senator from Utah will withdraw his objection. This is a very worthy measure. The soldier served the entire term of his enlistment during the Spanish-American War while we were at war and was discharged honorably with character very good. Some time later he reenlisted. During the period of his second enlistment he fell into bad company, and the time being in pre-Volstead days, had a series of accidents and finally was dishonorably discharged. He had been absent, I think, for some 24 hours.

In view of the fact that his record during the war was very good and that he was discharged with "character very good," the committee believed that he ought to be given a pensionable status with his comrades with whom he served during the war, but which he is denied because during a subsequent enlistment he incurred the displeasure of the military authorities.

Mr. KING. Mr. President, I think it has been conceded that a dishonorable discharge debars, and properly so, an applicant for pension. Now, the Senator seeks to set aside that bar.

Mr. BINGHAM. At the close of the war he received an honorable discharge with "character very good." If he shall be granted a pension it will be because of his war service, even if he should have no pensionable status because of his subsequent service.

Mr. ROBINSON of Arkansas. There were no criminal charges against him, were there?

Mr. BINGHAM. There were not.

Mr. ROBINSON of Arkansas. As I understand, he was merely drunk.

Mr. SHORTRIDGE. No; he was sick. [Laughter.]

Mr. ROBINSON of Arkansas. He was absent without leave.

Mr. BINGHAM. Yes; there were no criminal charges against him.

Mr. KING. Then, was it not a case of desertion?

Mr. BINGHAM. No.

Mr. SHORTRIDGE. He was a brave soldier during the war.

Mr. BINGHAM. He got drunk several times.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KING. Mr. President, when a Puritan from Connecticut can approve it, I will not object.

Mr. BINGHAM. I thank the Senator.

There being no objection, the Senate as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments, on page 1, line 5, after the word "Army," to strike out "their widows, children, and dependent relatives"; and to strike out section 2, as follows:

SEC. 2. The Secretary of War is hereby authorized and directed to grant to such Arthur Waldenmeyer a discharge certificate showing that he is held and considered to have been honorably discharged as of such date.

So as to make the bill read:

That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army, Arthur Waldenmeyer shall be held and considered to have been honorably discharged as a private, Company F, Second Regiment Infantry, United States Army, on March 21, 1900; but no pension, pay, nor bounty shall be held to have accrued prior to the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. JOSEPH W. LOEF

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1594) for the relief of Capt. Joseph W. Loef, which had been reported from the Committee on Military Affairs with an amendment.

Mr. KING. Mr. President, I should like an explanation of that bill.

Mr. THOMAS. Mr. President, this bill is for the express purpose of correcting the date of the commission of Captain Loef. The authorities in making up the record certified that his service began on October 25, 1917, when in fact his services should have begun and did begin on August 15, 1917. Because of that error his commission, signed by the President, was dated some two months subsequent to the time when it should have been dated, and because of that fact he has lost some files in the promotion list. I think the War Department has corrected the error so far as it can do so; but, in order to correct the date of his commission, it takes an act of Congress to authorize the President to act, and this bill is for that one purpose.

Mr. KING. I have no objection.

The amendment of the Committee on Military Affairs was, on page 1, line 3, after the word "That," to insert "in order to rectify an error of the War Department in the computation of commission service," so as to make the bill read:

Be it enacted, etc., That, in order to rectify an error of the War Department in the computation of commissioned service, the President be, and hereby is, authorized to commission Capt. Joseph W. Loef, Field Artillery, as an additional number as of July 1, 1920, with the pay and allowance of a captain from that date, the total number of captains not to be increased by the change in the date of this commission, and that Capt. Joseph W. Loef be placed in his proper place on both the promotion and relative rank lists according to the date of his commission as captain.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 132) to authorize the President to appoint Le Roy K. Pemberton a first lieutenant, Officers' Reserve Corps, United States Army, was announced as next in order.

The bill had been reported from the Committee on Military Affairs adversely.

Mr. SHORTRIDGE. Mr. President, in view of the report accompanying the bill, I ask that it go over. I may question the report later.

Mr. KING. Will the Senator object to a motion to postpone it indefinitely?

Mr. SHORTRIDGE. I shall object. Let the bill go over, and I will upset the committee, I think, on it at the next hearing.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2053) to establish a military record for Daniel P. Tafe was announced as next in order.

The bill had been reported from the Committee on Military Affairs adversely.

Mr. KING. Mr. President, I move that the bill be indefinitely postponed.

Mr. SHORTRIDGE. I ask to have the bill go over.

Mr. REED of Pennsylvania. Is the Senator going to upset the committee on that bill also?

Mr. SHORTRIDGE. I will endeavor to do so.

The PRESIDING OFFICER. The bill will be passed over.

THOMAS JOHNSEN

The bill (S. 138) for the relief of Thomas Johnsen was announced as next in order.

Mr. KING. Mr. President, I should like an explanation of that measure.

Mr. SHORTRIDGE. The report is before the Senate and gives the details.

Mr. KING. Let it go over temporarily.

Mr. SHORTRIDGE. The facts are in the report before the Senate.

Mr. REED of Pennsylvania. Mr. President, this bill has been reported favorably. The beneficiary of the bill served an enlistment and was honorably discharged. He was separated from his wife after his honorable discharge, and she told him that she was going to get a divorce. He enlisted a second time, stating that he was single. As a matter of fact, that was strictly inaccurate and untrue, but the two had separated and he thought he was going to be divorced, and so he applied for enlistment as a single man. His wife then notified him that she was going to have a baby and that she had nobody to look out for her and she wanted to come back to him. Being in the Army, he said he would take care of her to such extent as his Army pay would permit, and she came and joined him.

The PRESIDING OFFICER. Is there objection?

Mr. REED of Pennsylvania. Let me finish. [Laughter.] Perhaps the Presiding Officer was anxious to know if there was objection to him joining his wife. At any rate, there was no objection to it, but the Army objected to his having enlisted with a statement that he was a single man. So he was court-martialed for that only. His service was creditable; he committed no military crime except the false statement which was made under the circumstances I have narrated when he enlisted. So he is prevented from having a pensionable status for the previous term of enlistment, from which he received an honorable discharge. The committee thought he ought to be afforded relief.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which provides that in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army, Thomas Johnsen shall be held and considered to have been honorably discharged as a private, Battery C, Third Artillery, United States Army, on September 13, 1900, but no pension, pay, nor bounty shall be held to have accrued prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW B. RITTER

The bill (H. R. 3400) to correct the military record of Andrew B. Ritter was announced as next in order.

Mr. REED of Pennsylvania. How about House bill 172, Order of Business 178?

The PRESIDING OFFICER. That bill was passed a short time ago.

Mr. ROBINSON of Arkansas. It has been passed already, on the request of the Senator from Washington.

The PRESIDING OFFICER. Is there objection to the consideration of House bill 3400?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE C. HUSSEY

The bill (H. R. 5994) for the relief of George C. Hussey was considered as in Committee of the Whole.

Mr. KING. Mr. President, was that a case of desertion? I should like some explanation of it.

Mr. SHEPPARD. It was a case of desertion after the war was over. This man served four years on the Union side, and was in the barracks here at Washington. He got into trouble with his superior officer through the commission of some minor offense, and, becoming impatient while under arrest, considering that the war was over and that he had performed his duty as a volunteer, he went back to his home without leave. In view of the fact that he had served four years, it seems to me that he is entitled to whatever privileges or rights would ordinarily have come to him by virtue of that service. He did

not quit the service until several months after the war was over.

Mr. KING. I observe that the report of Maj. Gen. Robert C. Davis, the Adjutant General, in the concluding part of the report, uses this language:

Inasmuch as the records show that this soldier deserted while in confinement awaiting trial for breach of military duty, it will be seen that no relief can be extended in his case under existing law.

Mr. SHEPPARD. That is true. That is as I stated it. He rendered good service throughout the war. This was a minor offense for which he was confined. It seemed to the committee that he was, in equity, entitled to recognition for the service he rendered.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. KING. I shall not object to its consideration, but I shall vote against it.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES CAUDWELL

The bill (S. 1736) for the relief of Charles Caudwell was announced as next in order.

The bill had been reported from the Committee on Claims with amendments.

The first amendment was, on page 1, line 4, after the words "directed to," to strike out "settle the claim of" and insert "pay to," so as to read:

That the Comptroller General of the United States be, and he is hereby, authorized and directed to pay to Charles Caudwell, Congleton, Cheshire, England.

The amendment was agreed to.

Mr. REED of Pennsylvania. Mr. President, that is another one of the bills that provide that the Comptroller General shall make payments. There is nothing in the Office of the Comptroller General, as I understand, that qualifies him to make payments out of the Treasury. I ask that the bill go over until it can be scrutinized from that standpoint.

The PRESIDING OFFICER. The bill will be passed over.

CALVIN H. BURKHEAD

The bill (H. R. 4707) for the relief of Calvin H. Burkhead was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRACTICE OF ARCHITECTURE IN THE DISTRICT

Mr. CAPPER. Mr. President, I ask unanimous consent that we revert to Order of Business 170, Senate bill 2660, which was passed over in my absence from the Chamber just a few moments ago at the request of the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent to return to Senate bill 2660. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2660) to amend an act entitled "An act to provide for the examination and registration of architects and to regulate the practice of architecture in the District of Columbia," approved December 13, 1924, and for other purposes, which had been reported from the Committee on the District of Columbia, with an amendment.

Mr. ROBINSON of Arkansas. Mr. President, this is an important bill, apparently, and I think there ought to be an explanation of it, and also an explanation of the amendment. It is a 10-page bill.

Mr. CAPPER. Mr. President, the bill is sent to us by the Commissioners of the District of Columbia to correct certain inaccuracies in the act of 1924. The bill now before us was passed by both the Senate and House at the last session, but in slightly different form, and the Houses failed to get together. There was no objection to it at that time.

Probably the most important change is found in section 28, which provides for a right of appeal to the District Court of Appeals. The purpose of the bill is to set up a board of architects, and it requires registration of all architects. As far as we know, no one in the city is opposed to the measure, or any part of it. We had a hearing. We asked to have any one interested come before the committee and State objections. The bill was discussed in the newspapers of the city. There has been no objection of any kind. The District Commissioners have gone over it carefully. The corporation counsel, the legal department of the District, has considered it carefully, and it seems to be satisfactory in every respect.

Mr. ROBINSON of Arkansas. Mr. President, I notice that there is at least one amendment proposed. What is the effect of that amendment?

Mr. CAPPER. The Senator will find on page 2 of the report the statement that section 16 of the existing law, according to the report made by the District Commissioners, is obscure, and in its practical application has given rise to much uncertainty, especially as section 29 relates to the same subject. The truth is the act of 1924 was carelessly drawn; and this bill is based on the experience of the past two years of this board of architects and will remove all of those ambiguities.

The report goes into detail as to the various changes suggested. As I said, one important thing is to provide the right of appeal on the part of any architect who might make objection to the findings of this board with which he is required to register. The bill is in line with the legislation that is found in pretty nearly every State in the Union in all the large cities having any considerable number of architects.

Mr. ROBINSON of Arkansas. The Senator states that this bill is to correct the results of carelessness and inefficiency in the preparation of a former bill which became law December 13, 1924. I note that on page 9 of the bill there is an amendment proposed by the committee striking out a penal provision as follows:

Any person who shall make any willfully false oath or affirmation in any matter or proceeding required or permitted by this act shall be deemed guilty of perjury and liable to the punishment therefor provided by the Code of Law for the District of Columbia.

Why that amendment?

Mr. CAPPER. That is explained in the third paragraph of the report, which says:

The effect of the amendment will be to remove the provision defining as perjury the making of a false oath in any matter or proceeding under the architects' practice act, as it is believed present laws of the District of Columbia are sufficient to cover such situations.

That was the judgment of the committee. The Senator from Washington went over the bill carefully so far as its legal provisions were concerned; and I will say again that the bill now before us passed this body a year ago, and passed the House, except that there were a few minor changes in verbiage; and the two Houses failed in the last days of the session to get together. This is really reenacting a bill that has already passed the House.

Mr. ROBINSON of Arkansas. Very well.

Mr. KING. Mr. President, I want to ask the Senator from Kansas whether this bill makes it a misdemeanor or an offense for any person to act as his own architect in providing the plans for any building which he wants to construct?

Mr. CAPPER. I do not think it could possibly have that effect.

Mr. KING. While a man might be exceedingly unwise to be his own architect, as some men are their own lawyers with fatal results, nevertheless, if a man wanted to prepare plans for a garage or for some other building, and is willing to take the chances, I think the Government ought not to complain, and he ought not to be characterized as a felon.

Mr. CARAWAY. And you could not get any worse architect than the one who designed a theater down here in the District that collapsed and killed a hundred people.

Mr. KING. Yes; some of the architects have not a very creditable record.

Mr. CAPPER. The law has been in operation over two years so far as that provision is concerned, and no objection has been heard from any source.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDING OFFICER. The amendment of the committee will be stated.

The amendment was, on page 9, line 12, after the word "counsel," to strike out: "Any person who shall make any willfully false oath or affirmation in any matter or proceeding required or permitted by this act shall be deemed guilty of perjury and liable to the punishment therefor provided by the Code of Law for the District of Columbia," so as to make the bill read:

Be it enacted, etc., That sections 14, 16, 19, 22, 24, 25, 26, 27, 28, 29, and 30 of the act entitled "An act to provide for the examination and registration of architects and to regulate the practice of architecture in the District of Columbia," approved December 13, 1924 (43 Stat. L. 714-718), be amended so that the same shall read as follows:

"Sec. 14. That, except as otherwise provided in this act, any person wishing to practice architecture in the District of Columbia under the title of architect shall, before being entitled to be or be known as an architect, secure from such board a certificate of qualifications to practice under the title of architect, as provided in this act."

"Sec. 16. That no person who was engaged in the practice of architecture in the District of Columbia on December 13, 1924, shall use or assume any title indicating that he or she is an architect, or any words, letters, or figures to indicate that the person using them is an architect, unless he or she shall have qualified and obtained a certificate of registration as an architect, or unless he or she shall, within six months after the passage of this act, file with said board an affidavit establishing to the satisfaction of said board the fact that he or she was in practice as an architect in said District on and prior to December 13, 1924. Nothing herein contained shall be construed to prevent any person who was engaged in the practice of architecture in said District on and prior to December 13, 1924, from applying to said board at any time for examination under this act. No firm shall be entitled to the style or designation 'architect' or 'registered architect' unless and until every member thereof shall be entitled to such designation. A corporation whose principal business, as shown by its charter, is the practice of architecture, may apply for and obtain a certificate of registration, provided all its executive officers and directors are registered architects. The same exemptions shall apply to partnerships and corporations as apply to individuals under this act."

"Sec. 19. That any properly qualified person who shall have been actually engaged in the practice of architecture in the District of Columbia on December 13, 1924, may be granted a certificate of registration without examination on condition that the applicant shall submit satisfactory evidence to the said board that he is qualified to practice architecture and by payment to the board of the fee required for certificate of registration as prescribed in section 23 of this act: *Provided*, That nothing in this act shall prevent any person who was actually engaged in the practice of architecture under the title of architect prior to December 13, 1924, from continuing the practice of said profession without a certificate of registration and without the use in any form of the title 'registered architect' upon filing the affidavit required by section 16 of this act."

"Sec. 22. That an architect who has lawfully practiced architecture for a period of more than 10 years outside of the District of Columbia shall, except as otherwise provided in subdivision (b) of section 21, be required to take only a practical examination, the nature of which shall be prescribed by the board of examiners and registrars of architects."

"Sec. 24. That all examination papers and other evidences of qualification submitted by each applicant shall be filed with the board of examiners and registrars of architects, and said board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension, and revocation of certificates of registration."

"The record shall also contain the name, known place of business and residence, and the date and number of the certificate of registration of every registered architect entitled to practice his profession in the District of Columbia."

"Sec. 25. That every registered architect in the District of Columbia shall annually, during the month of May, renew his certificate of registration and pay the renewal fee required by section 23 of this act. Any such architect who fails to pay the said renewal fee shall cease to be a registered architect, subject to restoration upon paying the fee therefor prescribed in accordance with section 23 of this act."

"A person who fails to renew his certificate of registration during the month of May in each year may not thereafter renew his certificate except upon payment of the fee required by section 23 of this act for the restoration of an expired certificate of registration."

"Every renewal certificate shall expire on the 30th of April following the issuance."

"Sec. 26. Exemptions: That the following shall be exempted from the requirements of this act: (1) Any person practicing or desiring to practice architecture in the District of Columbia who shall have made application to the board for registration as an architect and who shall have paid the fee provided for in section 23 of this act, such exemption to continue only until the board shall have denied such application; (2) any officer or employee of the United States or the District of Columbia practicing architecture in that capacity alone."

"Sec. 27. Revocation of certificate: That the board of examiners and registrars of architects may revoke any certificate after 30 days' notice with grant of hearings to the holder thereof if proof satisfactory to the board be presented in the following cases:

"(a) In case it is shown that the certificate was obtained through fraud or misrepresentation."

"(b) In case the holder of the certificate has been found guilty by said board or by a court of justice of any fraud or deceit in his professional practice or has been convicted of a felony by a court of justice."

"(c) In case the holder of the certificate has been found guilty by said board of gross incompetency or of recklessness in the planning or construction of buildings."

"(d) In case a corporation holding a certificate of registration shall have as one of its executive officers or directors a person not a registered architect."

"Sec. 28. That the proceedings for the annulment of registration (that is, the revocation of a certificate) shall be begun by filing written charges against the accused with the board of examiners and registrars

of architects by the board itself or by any complainant. A copy of the charges together with a notice of the time and place of hearing shall be served on the accused at least 30 calendar days in advance of such hearing, which shall be postponed if necessary to give the requisite notice. Where personal service can not be made within the District of Columbia, service may be made by publication or personal service in accordance with such rules as the board may adopt, following generally and in principle the provisions of sections 105 as amended, 106 and 108 of the Code of Laws of the District of Columbia. At the hearing the accused shall have the right to be represented by counsel, introduce evidence, and examine and cross-examine witnesses. The secretary of the board is hereby empowered to administer oaths. The board shall make a written report of its findings, which report, with a transcript of the entire record of the proceedings shall be filed with the Commissioners of the District of Columbia, and if the board's findings shall be adverse to the accused his or her certificate of registration shall stand revoked and annulled, at the expiration of 30 days from the filing of such report, unless within said period of 30 days a writ of error shall be issued as hereinafter provided, in which event said certificate shall stand suspended until the final determination of the court of appeals upon such writ of error. If an exception is taken to any ruling of the board on matter of law, the exception shall be reduced to writing and stated in the bill of exceptions with so much of the evidence as may be material to the question or questions raised, and such bill of exceptions shall be settled by the board and signed by the secretary within such time as the rules of the board may prescribe. Any party aggrieved by the decision of the said board may seek a review thereof in the Court of Appeals of the District of Columbia by petition under oath setting forth concisely but clearly and distinctly the nature of the proceeding before said board, the trial and determination thereof, and the particular ruling upon matter of law to which exception has been taken, said petition to be presented to any justice of the court of appeals within 30 days after the filing of the report of said board with the commissioners, with such notice to the board as may be required by the rules of the court of appeals. If the justices shall be of the opinion that the action of the board ought to be reviewed, a writ of error shall be issued from the court of appeals within such time as may be prescribed by that court, a transcript of the record in the case sought to be reviewed, and the court of appeals shall review said record and affirm, reverse, or modify the judgment in accordance with law."

Section 29 of the said act of December 13, 1924, is repealed. A new section, to be numbered section 29, is hereby enacted, as follows: "The said board shall have power to require the attendance of persons and the production of books and papers and to require such persons to testify in any and all matters within its jurisdiction. The chairman and the secretary of the board shall have power to issue subpoenas, and upon the failure of any person to attend as a witness when duly subpoenaed or to produce documents when duly directed by said board, the board shall have power to refer the said matter to any justice of the Supreme Court of the District of Columbia, who may order the attendance of such witness or the production of such books and papers or require the said witness to testify, as the case may be; and upon the failure of the witness to attend, to testify, or to produce such books or papers, as the case may be, such witness may be punished for contempt of court as for failure to obey a subpoena issued or to testify in a case pending before said court."

"Sec. 30. That any person who shall use the title 'architect' or 'registered architect' or any other words, letter, or figures indicating or intending to imply that the person using the same is an architect or a registered architect, without having complied with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$200, or by imprisonment for not more than one year, or both, prosecution therefor to be made in the name of the District of Columbia by the corporation counsel."

SEC. 2. That nothing contained in this act shall be construed to affect the force and validity of any act of the board of examiners and registrars of architects performed prior to its passage. The act of December 13, 1924, and this act may be cited and known as the architects' registration act.

Mr. ROBINSON of Arkansas. Mr. President, I think I will ask that this bill go over for the present.

The PRESIDING OFFICER. The bill will be passed over.

RADIO REGULATION

Mr. DILL. Mr. President, I renew my request for unanimous consent to take up Order of Business 228, Senate bill 2317. I may say that we have had a conference regarding the radio commissioners, and it has been agreed that their nominations will be held up and not reported at this time, and I should like to take up this bill.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 2317? The Chair hears no objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2317) continuing for one year the powers and authority of the Federal Radio Commission under the radio act of 1927, which had been reported from the Committee on Interstate Commerce with an amendment.

Mr. KING. Now, will the Senator make an explanation of the bill and its implications?

Mr. DILL. The purpose of this bill is to continue the original jurisdiction of the Radio Commission for one year. Under the present law the commission will end on March 15, 1928, as an original body and become an appellate body. The fact that the commission has not had any money, that it has not had any employees or instrumentalities with which to work, has greatly handicapped it. In addition to that, two of its members have died, one has resigned, and the commission has been in a very unsettled state. Because of that, the committee believes that another year of original jurisdiction should be given the commission. I may add that the problems in the short-wave-length allocations have become exceedingly numerous as compared with what they were a year ago.

Mr. BLEASE. Mr. President, will the Senator permit an interruption?

Mr. DILL. Yes.

Mr. BLEASE. I presume Senators want to go on with their bills. I want to discuss this bill probably at some length. I have several matters here that I want to get into the RECORD on it.

Mr. DILL. Of course, I do not want to take up the time of the Senate, if the Senator takes that position.

Mr. BLEASE. It will take me at least half an hour.

Mr. DILL. I want to say to the Senator that the purpose of this bill is to limit the commissioners' powers and terms, of which I presume the Senator is in favor.

Mr. BLEASE. No; I am in favor of abolishing the commission.

Mr. DILL. If this bill is not passed, the commissioners will continue to hold office for six years instead of two, as before.

Mr. BLEASE. The more obnoxious it makes it to them, the better I will like it.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. In view of the unanimous-consent agreement which was entered into some time ago, under which the Senate is now proceeding, would it be proper to submit another request asking unanimous consent for the consideration of this bill despite the limitations of debate under Rule VIII?

Mr. BINGHAM. Mr. President, in view of the fact that Senators generally understood that only bills to which there was no objection would be considered, it does not seem to me that that would be quite fair.

Mr. KING. Perhaps that would be unfair to absent Senators.

The PRESIDING OFFICER. Under the present agreement that can not be done.

Mr. DILL. If the Senator from South Carolina wants to take half an hour to talk about the bill, I do not want to hold up the Senate for the consideration of the measure.

Mr. PITTMAN. I take it that debate is limited under the rule, is it not?

The PRESIDING OFFICER. We are considering only unobjected bills.

Mr. DILL. The consideration of this bill was not objected to, so that it would have to be considered under the five-minute rule, would it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. DILL. Then, of course, if we are under the five-minute rule, I want to go ahead with the bill.

Mr. BLEASE. I object to the consideration of the bill.

Mr. DILL. But that time has passed. The Senate has agreed to consider it.

Mr. BLEASE. If so, it was without my knowledge. I was sitting right here at my desk, and I did not hear a request for the consideration of the bill.

The PRESIDING OFFICER. Under the rules of the Senate, a Senator can object to the consideration of a bill at any stage.

Mr. BLEASE. I certainly would have objected if I had heard the request, and I object now.

The PRESIDING OFFICER. Objection is made. The Secretary will state the next bill on the calendar.

FELIX MEDLER

The bill (S. 141) for the relief of Felix Medler was announced as next in order.

The PRESIDING OFFICER. This bill is reported adversely.

Mr. SHORTRIDGE. I ask that it be passed over.

Mr. REED of Pennsylvania. What about Order of Business 183, House bill 4707?

The PRESIDING OFFICER. That bill has been passed. Senate bill 141 is reported adversely.

Mr. SHORTRIDGE. I ask that it may go over.

The PRESIDING OFFICER. The bill will be passed over.

NATIONAL SURETY CO.

The bill (S. 2335) for the relief of the National Surety Co. was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 5, to strike out "\$157.98" and to insert in lieu thereof "\$157.89."

The amendment was agreed to.

Mr. McKELLAR. Mr. President, will not the Senator in charge of the bill explain it?

The PRESIDING OFFICER. The Senator from Nebraska [Mr. HOWELL] is not in the Chamber.

Mr. McKELLAR. I will ask that the bill go over for the day. I do not know that I will object to it, but I just want an explanation.

The PRESIDING OFFICER. The bill will go over.

HEIRS OF RALPH K. WARRINGTON

The bill (H. R. 5300) for the relief of Lewis H. Francke and Blanche F. Shelley, sole legal heirs of Ralph K. Warrington, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full compensation against the Government, the sum of \$3,092.63 to Lewis H. Francke and Blanche F. Shelley, of Louisville, Ky., the sole legal heirs of the late George A. Francke, who served as Ralph K. Warrington, formerly clerk, Medical Department at Large, United States Army, and who died intestate on March 1, 1919, for the loss of personal property belonging to the said deceased, through and by the theft and conversion at the hands of an employee of the Government of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FINAS M. WILLIAMS

The bill (H. R. 5228) for the relief of Finas M. Williams was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, sailors, and marines, Finas M. Williams shall hereafter be held and considered to have been honorably discharged from the service of the United States Army on August 14, 1913: *Provided,* That no back pay, pension, or allowances shall be held to have accrued prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONSTRUCTION AT MILITARY POSTS

The bill (H. R. 7009) to authorize appropriations for construction at military posts, and for other purposes, was considered as in Committee of the Whole.

Mr. KING. I would like to have an explanation of the bill. It is a very important measure.

Mr. REED of Pennsylvania. Mr. President, it will not take any money out of the general appropriations, but is merely the application of the fund which was created under the act of Congress by the sale of surplus real estate belonging to the War Department. It applies that fund to the construction of barracks to correct the present housing deficiency in the Army. It is the third annual installment of this work of putting the housing of the Army on a proper basis. Congress has already passed two installments of the work in the last two years. It will not, as I have said, require any appropriation, but merely authorizes the application of the fund realized from the sale of the unnecessary land.

Mr. KING. Mr. President, will the Senator yield?

Mr. REED of Pennsylvania. Certainly.

Mr. KING. My recollection is that when Senator Wadsworth was chairman of the Committee on Military Affairs we authorized the sale of various parcels of land owned by the Government, as well as personal property, but my understanding was that the proceeds derived from the sales of either personal property or real estate were to be covered into the Treasury of the United States, and that if buildings were to be erected to house the officers and the men, direct appropriations would be required.

Mr. REED of Pennsylvania. It requires the authority of Congress to take the money out of the Treasury.

Mr. McKELLAR. Mr. President, as I understand the Senator, the amount that is authorized to be appropriated,

\$6,841,691, is the amount that has been realized this past year from that source.

Mr. REED of Pennsylvania. It has not all been realized in the past year, but in the past two or three years.

Mr. MCKELLAR. It has been realized from that source and covered into the Treasury.

Mr. REED of Pennsylvania. Absolutely. I want to correct one matter. The proceeds from the sale of personal property by the Army, such as surplus uniforms, surplus materials, and things of that sort, have to be covered into the Treasury, and that is not a part of this fund. This is merely the application to real estate we now own—of the proceeds of the sale of real estate which we did not need and have sold. It will carry on, for one thing, the completion of the new primary flying school at San Antonio. Another thing, it will rebuild the barracks recently destroyed by fire at Fort Benjamin Harrison. Most of the money goes to the housing of the enlisted men. Very little is to be spent for officers.

Mr. BINGHAM. Mr. President, there is one item in the bill to which I object. I regret that it was not possible for me to be present when the bill was considered in the Committee on Military Affairs, of which I have the honor to be a member. On page 4, line 16, there is an item for the erection of a hydrogen gas holder at Scott Field, Ill., \$49,500. I move to strike that out, and I should like to give my reasons for making the motion.

While I am a very strong believer in dirigibles for service over water, and I hope to see the day come within a year or less when we can have dirigibles crossing the Atlantic Ocean on passenger and mail service, and while I believe fully in the Navy's program for dirigibles, and shall be glad to see it expanded still further, I am entirely unconvinced of the necessity of the Army operating lighter-than-air craft over land. They can operate heavier-than-air craft at least three times as fast and much more efficiently, and more safely, and they can be operated in all kinds of weather when lighter-than-air craft can not be operated. It seems to me it is a waste of money to authorize appropriations or to appropriate for lighter-than-air craft in the Army. Therefore, I move that the item be stricken out.

The PRESIDENT pro tempore. Will not the Senator withhold his amendment until after the committee amendments have been disposed of?

Mr. BINGHAM. Certainly.

The bill had been reported from the Committee on Military Affairs with amendments. The first amendment was, on page 1, line 4, to strike out "\$4,283,716" and insert in lieu thereof "\$6,841,691."

Mr. KING. Mr. President, I would like to ask the Senator why the House appropriation of \$4,283,000 was increased by two and a half million dollars.

Mr. REED of Pennsylvania. Mr. President, it is not an appropriation; it is merely an authorization. It was increased to take care of the union of Kelly and Brooks Fields, with the new flying school at San Antonio. It authorizes the sale of Kelly and Brooks Fields as soon as the consolidation can be made. The net result will be a great saving to the Government, by the consolidation of those fields, and the economy in overhead that will result from it.

Then there has been an addition, which the Senator will see on page 5, for the completion of the hospital at Walter Reed, for the beginning of construction at West Point, and for the repair of the fire damage at Fort Benjamin Harrison, which was not taken into account by the House. All of this is within the Army's schedule for new construction. We have cut down the bill as it passed the House for the work at West Point by approximately a million and a half dollars. We consolidated the appropriations in that bill with this one, and have done nothing thus far on the other bill. This really represents a consolidation of the two bills.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee on page 1, line 4.

The amendment was agreed to.

The next amendment was, on page 2, line 7, after the word "hangars," to strike out "\$316,000; hangars for airdrome gunnery and bombing range, \$79,000" and insert "\$440,000"; in line 10, after the words "field warehouse," to strike out "\$38,000" and insert "\$45,000"; in line 12, after the word "buildings," to strike out "\$56,000" and insert "\$61,000; school building, \$40,000; gasoline and oil storage, \$16,900; paint, oil, and dope storage, \$5,000; night-flying lighting system, \$15,000; improvement of landing field, \$81,000"; in line 17, after the word "quarters," to strike out "\$156,000; and" and insert "\$540,000"; in line 18, after the figures "\$1,020,000," to insert a semicolon and "hospital, \$150,000; magazine (for explosives), \$15,000; quartermaster warehouse, \$90,000; garage, \$80,000;

quartermaster maintenance building, \$20,000; fire house, \$15,000; guardhouse, \$30,000; post exchange, \$45,000; theater and gymnasium, \$60,000; incinerator, \$5,000; railroad spur tracks, \$39,700; telephone and telegraph lines in conduit, \$68,375; bakery, \$10,000; chapel and school, \$50,000; enlisted men's club, \$60,000; officers' mess, \$60,000"; on page 4, line 16, after the figures "\$6,861," to strike out "Scott Field, Ill., hydrogen gas holder, \$49,500"; on page 5, line 6, after the figures "\$400,000," to insert a semicolon and "Walter Reed General Hospital, in the District of Columbia, for the construction of a three-story ward building, for conversion of the fourth story of the present administration building of said hospital into an operating suite, including the construction of the necessary corridors, roads, walks, grading utilities, and appurtenances thereto, \$310,000; the United States Military Academy, West Point, N. Y., for the purpose of razing the old cadet mess hall, and of preparing the plans and specifications and of excavating the ground and otherwise preparing the site for the construction of a new cadet barracks at the United States Military Academy (the total cost of which is not to exceed \$825,000), \$185,000: *Provided*, That the superintendent of the United States Military Academy, West Point, N. Y., with the approval of the Secretary of War, is authorized to employ architects to draw the necessary plans and specifications from funds herein authorized, when appropriated; Fort Benjamin Harrison, barracks for 540 men, \$432,000; noncommissioned officers' quarters, \$234,000.

"There is hereby authorized to be constructed from current funds in possession of the Secretary of War, 96 sets of bachelor officers' quarters at Schofield Barracks, Hawaii, \$108,000; an addition to ward building, Fort Sill, Okla., \$30,000.

"The act entitled 'An act to authorize appropriations for construction at military posts, and for other purposes,' approved March 3, 1927, is hereby amended so as to strike out the authorization therein for \$500,000 for barracks at Fort Benning, Ga., and to substitute therefor the following: 'For Fort Benning, Ga., barracks, \$300,000; to complete the hospital and to construct nurses' quarters, \$200,000,' so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated not to exceed \$6,792,191, to be expended for the construction and installation at military posts of such technical buildings and utilities and appurtenances thereto as, in the judgment of the Secretary of War, may be necessary, as follows:

Bolling Field, D. C., supply warehouse, \$38,000; administration building, \$42,000; Chanute Field, Ill., heating system in hangars, \$5,629; Fort Crockett, Tex., machine shop and aero repair building, \$19,869; dope and paint house and lean-to for boiler room, \$10,775; Fort Sam Houston, Tex., macadamizing hangar line and construction of storm sewer and surface drainage for hangars, \$3,858; Hawaiian Department (for the Air Corps), steel hangar, \$39,500; addition to radio hut, \$6,979; New Primary Flying Field, San Antonio, Tex., hangars, \$440,000; field shop, \$81,000; field warehouse, \$45,000; headquarters and operations buildings, \$40,000; radio, parachute, and photographic buildings, \$61,000; school building, \$40,000; gasoline and oil storage, \$16,900; paint, oil, and dope storage, \$5,000; night-flying lighting system, \$15,000; improvement of landing field, \$81,000; New Primary Flying School, San Antonio, Tex., barracks, \$700,000; noncommissioned officers' quarters, \$540,000; officers' quarters, \$1,020,000; hospital, \$150,000; magazine (for explosive), \$15,000; quartermaster warehouse, \$90,000; garage, \$80,000; quartermaster maintenance building, \$20,000; fire house, \$15,000; guard house, \$30,000; post exchange, \$45,000; theater and gymnasium, \$60,000; incinerator, \$5,000; railroad spur tracks, \$39,700; telephone and telegraph lines in conduit, \$68,375; bakery, \$10,000; chapel and school, \$50,000; enlisted men's club, \$60,000; officers' mess, \$60,000: *Provided*, That the Secretary of War is hereby authorized, when directed by the President, to accept on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to such lands as he may deem necessary or desirable, in the vicinity of San Antonio, Tex., approximately 2,400 acres, as a site for an Army primary flying school and flying field: *Provided further*, That upon the acceptance of the lands as herein provided there is hereby authorized to be made available or appropriated for the construction thereon of barracks and officers' quarters and utilities and appurtenances thereto such amounts as may have been appropriated or authorized for appropriation for barracks and officers' quarters and utilities and appurtenances thereto at Brooks Field and Kelly Field, Tex., pursuant to the authority contained in the acts approved February 25, 1927 (44 Stat. L. 1235), and March 3, 1927 (44 Stat. L. 1390): *Provided further*, That, upon the acceptance of the lands as herein provided, the Secretary of War is hereby authorized to prepare the grounds and construct the necessary roadways and utilities at said primary flying school and flying field and to transfer thereto and reestablish thereon such buildings, utilities, and equipment then located at Brooks Field and Kelly Field, Tex., as he may determine to be necessary and desirable: *And provided further*,

That the Secretary of War be, and he is hereby, authorized to sell, or cause to be sold, under the provisions of the act of March 12, 1926, the tracts or parcels of real property comprising Brooks Field and Kelly Field, Tex., or any portion thereof, upon determination by him that said tracts or parcels are no longer needed for military purposes, and to execute and deliver in the name of the United States and in its behalf any and all contracts, conveyances, or other instruments necessary to effectuate such sale and conveyance; Langley Field, Va., heating plant for hangar, \$6,068; Middletown Air Depot, Middletown, Pa., hangars, \$79,000; concrete floors in warehouse, \$38,597; San Antonio Air Depot, San Antonio, Tex., rock asphalt apron for hangars, \$7,316; instrument house and engine repair and cleaning building, \$6,861; Fairfield Air Depot, Fairfield, Ohio, gasoline and oil tanks, \$36,000; March Field, Calif., radio, photographic, and school buildings, \$86,000; night-flying lighting system, \$15,000; Maxwell Field, Ala., hangar, \$39,500; field shop, \$81,000; headquarters and operations buildings, \$40,000; radio, parachute, and photographic buildings, \$56,000; night-flying lighting system, \$15,000; Mitchel Field, Long Island, N. Y., hangars, \$79,000; field shop, \$81,000; field warehouse, \$38,000; headquarters and operations buildings, \$40,000; radio, parachute, and photographic buildings, \$56,000; Selfridge Field, Mich., hangars, \$237,000; field shop, \$81,000; headquarters and operations buildings, \$40,000; radio and parachute buildings, \$20,000; ceiling and walling hangars, \$3,264; Albrook Field, Canal Zone, construction of landing field, \$400,000; Walter Reed General Hospital, in the District of Columbia, for the construction of a three-story ward building, for conversion of the fourth story of the present administration building of said hospital into an operating suite, including the construction of the necessary corridors, roads, walks, grading utilities, and appurtenances thereto, \$310,000; the United States Military Academy, West Point, N. Y., for the purpose of razing the old cadet mess hall, and of preparing the plans and specifications and of excavating the ground and otherwise preparing the site for the construction of a new cadet barracks at the United States Military Academy (the total cost of which is not to exceed \$825,000), \$185,000; *Provided*, That the Superintendent of the United States Military Academy, West Point, N. Y., with the approval of the Secretary of War, is authorized to employ architects to draw the necessary plans and specifications from funds herein authorized, when appropriated; Fort Benjamin Harrison, barracks for 540 men, \$432,000; noncommissioned officers' quarters, \$234,000.

There is hereby authorized to be constructed from current funds in possession of the Secretary of War 96 sets of bachelor officers' quarters at Schofield Barracks, Hawaii, \$108,000; an addition to ward building, Fort Sill, Okla., \$30,000.

The act entitled, "An act to authorize appropriations for construction at military posts, and for other purposes," approved March 3, 1927, is hereby amended so as to strike out the authorization therein for \$500,000 for barracks at Fort Benning, Ga., and to substitute therefor the following: "For Fort Benning, Ga., barracks, \$300,000; to complete the hospital and to construct nurses' quarters, \$200,000."

The amendments were agreed to.

The PRESIDENT pro tempore. The question now recurs on the amendment proposed by the Senator from Connecticut [Mr. BINGHAM], which the clerk will state.

The CHIEF CLERK. On page 4, line 16, strike out the words "Scott Field, Ill., hydrogen gas holder, \$49,500."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. REED of Pennsylvania. I move that the Senate insist upon its amendments and request a conference with the House, and that the Chair appoint the conferees.

The motion was agreed to, and the President pro tempore appointed Mr. REED of Pennsylvania, Mr. GREENE, and Mr. FLETCHER conferees on the part of the Senate.

RECREATION PIER, SAN FRANCISCO

The bill (S. 1665) to authorize the board of park commissioners of the city and county of San Francisco to construct a recreation pier at the foot of Van Ness Avenue, San Francisco, Calif., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of War is authorized to grant a permit to the board of park commissioners of the city and county of San Francisco, Calif., to construct, maintain, and use a recreation pier in connection with the establishment of an aquatic park at the foot of Van Ness Avenue, San Francisco, Calif., and for such purpose to encroach upon the lands belonging to the United States and comprising a part of the Fort Mason Military Reservation.

SEC. 2. The permit shall be conditioned upon the relocation on a suitable site of the present wharf of the Army Transport Service, in such manner as may be determined by the Secretary of War, and without inconvenience or delay to the Army Transport Service, and shall be

subject to such other terms and conditions as may be prescribed by the Secretary of War for the protection of the Fort Mason Military Reservation. The terms and conditions of such permit shall be performed without expense to the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SOLDIERS' HOME, LOS ANGELES COUNTY, CALIF.

The bill (H. R. 164) to authorize appropriations for construction at the Pacific Branch, Soldiers' Home, Los Angeles County, Calif., and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES NEAL

The bill (H. R. 7553) for the relief of James Neal was announced as next in order.

Mr. KING. I wonder if that is a case of desertion. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

PAY OF IMMIGRATION OFFICERS

The bill (S. 2370) to amend section 24 of the immigration act of 1917 was announced as next in order.

Mr. LA FOLLETTE. Mr. President, I would like to ask the Senator from Pennsylvania to explain the language in line 8 of the bill.

Mr. REED of Pennsylvania. That was intended, Mr. President, to take care of a few of the chief inspectors. I take it that the amount named in the bill would not be greatly in excess of \$3,000. But that language is not necessary. If there is objection to it, I would be glad to have it stricken out rather than to see the bill fail.

Mr. McKELLAR. I think the salaries ought to be fixed.

Mr. KING. I would like to look into this bill a little.

Mr. REED of Pennsylvania. May I ask the Senator to study the table on the last page of the report? I think the Senator will be convinced that these people are receiving less than any other class of skilled workers employed by the United States Government.

Mr. LA FOLLETTE. I have no objection to the bill and think that it should pass, but it seems to me that that is strange language to employ.

Mr. KING. I ask that the bill may go over.

Mr. McKELLAR. May I suggest to the Senator from Pennsylvania that by the time the bill is called up again he shall propose a proper salary for the class in grade 6?

Mr. REED of Pennsylvania. I think the objection is well taken, and I shall try to prepare such an amendment.

The PRESIDENT pro tempore. The bill will be passed over under objection.

FREDERICK N. CARR

The bill (S. 43) for the relief of Frederick N. Carr, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Frederick N. Carr, who was a second lieutenant in Company I, First Regiment West Virginia Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as an officer of said company and regiment on the 4th day of February, 1899: *Provided*, That no pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. KING. Let that go over.

Mr. NEELY. Mr. President, I hope the Senator will withhold his objection.

Mr. KING. I withhold the objection.

Mr. NEELY. Mr. President, this is an extraordinarily meritorious measure. Fred N. Carr, whose record it is intended to correct, was, to my personal knowledge, a brave and a patriotic soldier. The infirmity of his discharge is the result of Mr. Carr's having generously assumed obligations for his friends in excess of his ability to pay.

Justice demands that this bill be passed.

Consequently, I urge the able Senator from Utah to withdraw the objection to its consideration which he has interposed.

Mr. KING. I withdraw the objection.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT F. YEAMAN

The bill (H. R. 4777) to compensate Robert F. Yeaman for the loss of certain carpenter tools which was incurred by reason of a fire in the Government area at Old Hickory Ordnance Depot

was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of Treasury be, and he is hereby, authorized and directed to pay to Robert F. Yeaman, out of any money not otherwise appropriated and in full settlement against the Government, the sum of \$217.70, the value in full of carpenter tools belonging to the said Yeaman and which were destroyed by fire in the Government area at Old Hickory Depot on the 4th day of August, 1924.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPHINE THIBODEAUX

The bill (H. R. 8369) for the relief of Josephine Thibodeaux was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Josephine Thibodeaux, of Los Angeles, Calif., which sum was paid by her to the United States as a bail bond for appearance in court of N. H. Thibodeaux, said bail bond being declared forfeited by the court for nonappearance, but subsequently ordered paid back to said Josephine Thibodeaux through an order of said court vacating the forfeiture of the bail bond, but which amount had been covered into the Treasury of the United States by the clerk of the court.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER S. KELLY

The bill (S. 1771) for the relief of Peter S. Kelly was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, their widows, and dependent relatives, Peter S. Kelly, late of Company B, First Regiment Montana Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of the above organization on the 17th day of October, 1899: *Provided,* That no pay, pension, bounty, or other emoluments shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS M. ROSS

The bill (H. R. 6162) for the relief of Thomas M. Ross was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That in the administration of the pension laws, Thomas M. Ross shall hereafter be held and considered to have been honorably discharged from Company F, Second Regiment United States Infantry, war with Spain, on April 11, 1900: *Provided,* That no back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL F. ROBERTS

The bill (S. 46) for the relief of Daniel F. Roberts was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, Daniel F. Roberts, who was a private in Company D, Second Regiment West Virginia Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 10th day of April, 1899: *Provided,* That no pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Mr. KING. Mr. President, I desire to have an explanation for the great number of such bills.

Mr. REED of Pennsylvania. Mr. President, it is easily explained. The House of Representatives sent over to us, almost at the beginning of the session, about 100 of such bills. They were all bills which had passed the House, some of them several times, but had not been acted on over here. They were all referred to subcommittees along with several hundred Senate bills. We have reported out perhaps 15 bills from the Military Affairs Committee, and that is not 5 per cent of the bills which have been pending. Those which were reported affirmatively seemed to the committee to be very meritorious cases, and many of them have passed the Senate before.

Mr. KING. I notice the report states "service not honest and faithful."

Mr. REED of Pennsylvania. To which one does the Senator now refer?

Mr. KING. Calendar No. 200, Senate bill 46. My eye happened to rest upon that sentence. There may be many exculpatory provisions or explanatory remarks which qualify that sentence.

Mr. REED of Pennsylvania. The reason why those words were put on his discharge was that after the Spanish war was over, after good service in the Army during the Spanish war, he got into a row with the chief cook of his company, as soldiers frequently do, and especially as they did in those days when the ration was none too good. He had a fist fight with the chief cook and was court-martialed for it. That was the only incident brought to our attention to show that his service was not honest and faithful.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRINTING OF LAWS, ETC., RELATING TO INDIAN AFFAIRS

The resolution (S. Res. 115) to print the manuscript of the laws, agreements, Executive orders, and proclamations relating to Indian affairs was announced as next in order.

Mr. BINGHAM. Mr. President, I desire to say that I was unable to include in the report of the committee the estimate of the Public Printer as to the cost of this printing. I am now informed that it is estimated to cost \$8,589.

Mr. KING. Mr. President, I do not want to object to the passage of the resolution and yet I invite the attention of the Senator to the fact that a few days ago a resolution was passed by the Senate authorizing and requiring the Committee on Indian Affairs, by subcommittee or otherwise, to make a comprehensive study of the Indian laws and regulations, and the general conduct of the Government in dealing with the Indians, to study in a comprehensive and constructive way the manner in which we have dealt with the Indians, with a view to recommending back to Congress legislation, if they deem legislation necessary, for the benefit of the Indians and which will contribute more to their advancement and civilization. That committee will be authorized to study these laws and to report, of course, amendments.

I was wondering whether it might not be wise to postpone the operation of this measure until that committee reports?

Mr. LA FOLLETTE. Mr. President, will the Senator from Connecticut permit me to make a statement?

Mr. BINGHAM. Certainly.

Mr. LA FOLLETTE. The resolution proposes to authorize the printing of an additional volume of a compilation of the Indian laws and treaties, which has been in progress since 1902. The volumes thus far printed form an exceptionally valuable compilation. As a member of the Committee on Indian Affairs, I express it as my own personal opinion that it would be of great service to the Committee on Indian Affairs to have the latter volume printed. I feel absolutely sure that it will be of great service to every Member of the Senate and the House who has any occasion to consider Indian legislation. I sincerely hope that the resolution will pass.

There being no objection, the resolution was considered by unanimous consent and agreed to, as follows:

Resolved, That the manuscript of the laws, agreements, Executive orders, proclamations, etc., relating to Indian affairs, prepared under Senate Resolution 57, Sixty-ninth Congress, first session, be printed as a Senate document, and that 50 additional copies be printed for the use of the Indian Office and Indian agencies.

OPERATORS' PERMITS TO ENLISTED MEN, DISTRICT OF COLUMBIA

The bill (S. 1281) to amend section 7 (a) of the act of March 3, 1925 (43 Stat. p. 1119), as amended by section 2 of the act of July 3, 1926 (44 Stat. p. 812), so as to provide operators' permits free of cost to enlisted men of the Army, Navy, Marine Corps, and Coast Guard operating Government-owned vehicles in the District of Columbia, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That section 7 (a) of the act known as the "District of Columbia traffic act, 1925," approved March 3, 1925 (43 Stat. 1119), as amended by section 2 of the act of July 3, 1926 (44 Stat. 812), be, and the same is hereby, amended by adding at the end thereof the following proviso: *Provided,* That enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be issued, without charge, a permit to operate Government-owned vehicles, upon the presentation of a certificate from their commanding officers to the effect that they are assigned to operate a Government vehicle and are qualified to drive and upon proving to the satisfaction of the director of traffic that they are familiar with the traffic regulations of the District of Columbia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS MOONEY

The bill (S. 134) for the relief of Francis Mooney was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

FEDERAL BUILDING SITE AT PHOENIX, ARIZ.

The bill (H. R. 6466) granting a part of the Federal building site at Phoenix, Ariz., to the city of Phoenix for street purposes was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed, to convey by suitable deed to the city of Phoenix, Ariz., for street purposes, the following-described strip of land: The north 7 feet of the east 160 feet of block 93, original town site of Phoenix; a subdivision in the city of Phoenix, Maricopa County, Ariz., according to plat of said subdivision of record in the office of the county recorder of Maricopa County, book 2 of maps, page 51 thereof: *Provided*, That said land shall revert back to the United States whenever it shall cease to be used for street purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE, ATCHISON AND LEAVENWORTH, KANS.

The bill (S. 2554) granting the consent of Congress to the cities of Atchison and Leavenworth, Kans., the city of St. Joseph, Mo., and the counties of Buchanan and Platte, Mo., their successors or assigns, to construct a bridge across the Missouri River, or to acquire existing bridges, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Atchison and the city of Leavenworth, corporations organized under the laws of the State of Kansas, the city of St. Joseph, a corporation authorized under the laws of the State of Missouri, and the counties of Buchanan and Platte, in the State of Missouri, their successors and assigns, or any of them, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, between the States of Kansas and Missouri, at or near Leavenworth, Kans., or Atchison, Kans., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said cities of Atchison, Leavenworth, and St. Joseph, and the said counties of Buchanan and Platte, their successors or assigns, or any of them, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property in such State.

SEC. 3. The said cities of Atchison, Leavenworth, and St. Joseph, and the said counties of Buchanan and Platte, their successors or assigns, or any of them, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to pay the cost of constructing the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the cost of the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The said cities of Atchison, Leavenworth, and St. Joseph, and the said counties of Buchanan and Platte, their successors or assigns, or any of them, are hereby authorized to acquire, by purchase or by condemnation under judicial process, any existing toll bridge, together with its approaches and property appurtenant to it, across the Missouri River between the States of Kansas and Missouri at or near Leavenworth, Kans., or Atchison, Kans., and to maintain and operate

such bridge for public purposes in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. Such bridge may be acquired by condemnation only upon payment of just compensation therefor, to be ascertained and paid according to the laws of the State wherein the real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation or expropriation of property in such State.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BRIDGE ACROSS CHESAPEAKE BAY

The bill (S. 1498) to extend the time for the construction of a bridge across the Chesapeake Bay and to fix the location of said bridge was considered as in Committee of the Whole. The bill had been reported from the Committee on Commerce with an amendment on page 1, line 3, to strike out the word "time" and insert in lieu thereof the word "times," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved February 15, 1927, to be built by the Chesapeake Bay Bridge Co., a corporation, across the Chesapeake Bay, is hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the consent of Congress is hereby granted to the Chesapeake Bay Bridge Co., its successors and assigns, to construct, maintain, and operate said bridge and its approaches across the Chesapeake Bay at a point suitable to the interests of navigation, from a point in Baltimore County, Md., south of Back River, to Hart Island, to Miller Island, and thence to some point in Kent County, Md., between 39 degrees and 12 minutes and 39 degrees and 13 minutes and 30 seconds north latitude.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BRIDGE ACROSS MISSOURI RIVER, SALINE COUNTY, MO.

The bill (S. 2188) granting the consent of Congress to Frank M. Burruss, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River was considered as in Committee of the Whole. The bill had been reported from the Committee on Commerce with an amendment to the title, and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Frank M. Burruss, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation between a point at or near Miami, Saline County, Mo., and a point opposite thereto in Carroll County, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Missouri, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 50 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Missouri under the provisions of section 2 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintain-

ing, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 4. Frank M. Burruss, his heirs, legal representatives, and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said Frank M. Burruss, his heirs, legal representatives, and assigns, shall make available all of his records in connection with the financing and the construction thereof. The findings of the Secretary of War, as to the actual original cost of the bridge, shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Frank M. Burruss, his heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to Frank M. Burruss, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Miami, Saline County, Mo."

CUMBERLAND RIVER BRIDGE, CLAY COUNTY, TENN.

The bill (S. 2476) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Lafayette-Celina road in Clay County, Tenn., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment on page 1, line 4, after "Tennessee," to strike out "and its successors and assigns," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the highway department of the State of Tennessee to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River, at a point suitable to the interests of navigation, on the Lafayette-Celina road in Clay County, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The State highway department of the State of Tennessee, its successors and assigns, is hereby authorized to fix and charge just and reasonable tolls for the use of such bridge, and the rates of toll so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the act of March 23, 1906.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TENNESSEE RIVER BRIDGE, ROANE COUNTY, TENN.

The bill (S. 2478) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Decatur-Kingston road, in Roane County, Tenn., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 4, after "Tennessee," to strike out the words "and its successors and assigns," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the highway department of the State of Tennessee to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River, at a point suitable to the interests of navigation, on the Decatur-Kingston road, in Roane County, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The State highway department of the State of Tennessee, its successors and assigns, is hereby authorized to fix and charge just and reasonable tolls for the use of such bridge, and the rates of toll so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the act of March 23, 1906.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TENNESSEE RIVER BRIDGE, MARION COUNTY, TENN.

The bill (S. 2479) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Jasper-Chattanooga road, in Marion County, Tenn., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 4, after the word "Tennessee," to strike out the words "and its successors and assigns," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the highway department of the State of Tennessee to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River at a point suitable to the interests of navigation on the Jasper-Chattanooga road, in Marion County, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. State highway department of the State of Tennessee, its successors and assigns, is hereby authorized to fix and charge just and reasonable tolls for the use of such bridge, and the rates of toll so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the act of March 23, 1906.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TENNESSEE RIVER BRIDGE, KNOX COUNTY, TENN.

The bill (S. 2480) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Knoxville-Maryville road, in Knox County, Tenn., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 4, after the word "Tennessee," to strike out the words "and its successors and assigns," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the highway department of the State of Tennessee to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River, at a point suitable to the interests of navigation, on the Knoxville-Maryville road, in Knox County, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The State highway department of the State of Tennessee, its successors and assigns, is hereby authorized to fix and charge just and reasonable tolls for the use of such bridge, and rates of toll so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the act of March 23, 1906.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CUMBERLAND RIVER BRIDGE, STEWART COUNTY, TENN.

The bill (S. 2496) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Dover-Clarksville road, in Stewart County, Tenn., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 4, after the word "Tennessee," to strike out the words "and its successors and assigns," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation, on the Dover-Clarksville road in Stewart County, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The State Highway Department of the State of Tennessee, its successors and assigns, is hereby authorized to fix and charge just and reasonable tolls for the use of such bridge, and the rates of toll so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the act of March 23, 1906.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OHIO RIVER BRIDGES

The bill (S. 2666) granting consent of Congress to the Madison Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Madison Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, between a point at or near the city of Madison, Jefferson County, Ind., and a point opposite thereto, in Trimble County, Ky., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Madison Bridge Co., its successors and assigns, all such rights and powers to enter upon lands, and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said Madison Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Indiana, the State of Kentucky, any political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 50 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interest in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the State or political subdivisions thereof, as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept, and shall be available for the information of all persons interested.

SEC. 6. The Madison Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War, and with the State highway commissioners of the States of Indiana and Kentucky, a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same, and for such purpose the said Madison Bridge Co., its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Madison Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting consent of Congress to the Madison Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River, at or near Madison, Jefferson County, Ind."

The bill (S. 797) granting the consent of Congress to the J. K. Mahone Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 6, after the word "point," to insert the words "suitable to the interests of navigation," and in line 8, after the word "Virginia," to strike out the words "to a point opposite at or near Brilliant, Jefferson County, Ohio," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the J. K. Mahone Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation at or near Wellsburg, Brooke County, W. Va., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the J. K. Mahone Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said J. K. Mahone Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of West Virginia, the State of Ohio, any political subdivision of either of such States within or adjoining which any part of such bridge is located, or any two or more of them jointly may at any time acquire or take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of, first, the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; second, the actual cost of acquiring such interests in real property; third, actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and fourth, actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the States or political subdivisions thereof as provided in section 4 of this act and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept, and shall be available for the information of all persons interested.

SEC. 6. The J. K. Mahone Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same, and for such purpose the said J. K. Mahone Bridge Co., its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the J. K. Mahone Bridge Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the J. K. Mahone Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River, at or near Wellsburg, W. Va."

OHIO RIVER BRIDGE, HANCOCK COUNTY, W. VA.

The bill (S. 798) granting the consent of Congress to the R. V. Reger Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments on page 1, line 6, after the words "Ohio River," to insert the words "at a point suitable to the interests of navigation," and in line 8, after the words "West Virginia," to strike out the words "to a point opposite at or near Toronto, Jefferson County, Ohio," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the R. V. Reger Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation, at or near New Cumberland, Hancock County, W. Va., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the R. V. Reger Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said R. V. Reger Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of West Virginia, the State of Ohio, any political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire or take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the States or political subdivisions thereof as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept, and shall be available for the information of all persons interested.

SEC. 6. The R. V. Reger Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at any time within three years after the completion of such bridge, investigate the actual cost of constructing the same, and for such purpose the said R. V. Reger Bridge Co., its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the R. V. Reger Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the R. V. Reger Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River, at or near New Cumberland, Hancock County, W. Va."

MISSISSIPPI RIVER BRIDGE AT LANSING, IOWA

The bill (S. 1879) granting the consent of Congress to the Interstate Bridge Co., of Lansing, Iowa, to construct a bridge across the Mississippi River at Lansing, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 2, line 23, to strike out "1926" and insert in lieu thereof "1906," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation between a point at or near Lansing, Allamakee County, Iowa, and a point opposite in the State of Wisconsin, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Interstate Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches and terminals, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation and expropriation of property in such State.

SEC. 3. The said Interstate Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Iowa, the State of Wisconsin, any political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 15 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the States or political subdivisions thereof as provided in section 4 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the amount paid therefor as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient to pay the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for acquiring the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 6. The Interstate Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, at

any time within 3 years after the completion of such bridge, investigate the actual cost of constructing the same, and for such purpose the said Interstate Bridge Co., its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the actual original cost of the bridge shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act, is hereby granted to the Interstate Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in. The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the Interstate Bridge Co., of Lansing, Iowa, to construct a bridge across the Mississippi River at Lansing, Iowa."

MISSOURI RIVER BRIDGE, SALINE COUNTY, MO.

The bill (S. 2189) granting the consent of Congress to F. C. Barnhill, his heirs, legal representatives, and assigns to construct, maintain, and operate a bridge across the Missouri River, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 4, line 12, to strike out the word "its" and insert in lieu thereof the word "his," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to F. C. Barnhill, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation between a point at or near Arrow Rock, Saline County, Mo., and a point opposite thereto in Howard County, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Missouri, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 50 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Missouri under the provisions of section 2 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. F. C. Barnhill, his heirs, legal representatives, and assigns shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and

the actual financing and promotion cost. The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said F. C. Barnhill, his heirs, legal representatives, and assigns, shall make available all of his records in connection with the financing and the construction thereof. The findings of the Secretary of War, as to the actual original cost of the bridge, shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to F. C. Barnhill, his heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to F. C. Barnhill, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River, at or near Arrow Rock, Saline County, Mo."

COOSA RIVER BRIDGE, ELMORE COUNTY, ALA.

The bill (S. 2257) granting the consent of Congress to the State Highway Department of the State of Alabama to construct a bridge across the Coosa River near Wetumpka, Elmore County, Ala., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 4, after the word "Alabama" to strike out the words "and its successors and assigns"; on page 2, line 2, after the numeral "1906" to strike out the words "and subject to the conditions and limitations contained in this act"; after line 3, to insert a new section, as follows:

"SEC. 2. That the act of Congress approved March 22, 1926, entitled, 'An act granting the consent of Congress to the State Highway Department of the State of Alabama to construct a bridge across the Coosa River near Wetumpka, Elmore County, Ala.,' is hereby repealed," and in line 9, to strike out the numeral "2" and insert the numeral "3," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the State Highway Department of the State of Alabama to construct, maintain, and operate a bridge and approaches thereto across the Coosa River at a point suitable to the interests of navigation, at or near Wetumpka, in the county of Elmore, in the State of Alabama, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the act of Congress approved March 22, 1926, entitled "An act granting the consent of Congress to the State Highway Department of the State of Alabama to construct a bridge across the Coosa River near Wetumpka, Elmore County, Ala., is hereby repealed.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE, RAMSEY COUNTY, MINN.

The bill (S. 2343) extending the time for the construction of the bridge across the Mississippi River in Ramsey and Hennepin Counties, Minn., by the Chicago, Milwaukee & St. Paul Railway was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 3, to strike out the word "time" and insert in lieu thereof the word "times," so as to make the bill read:

Be it enacted, etc., That the times for the commencing and completing the construction of the bridge authorized by act of Congress approved February 16, 1924, and amended by acts approved February 7, 1925, and March 1, 1926, to be built by the Chicago, Milwaukee & St. Paul Railway, its successors and assigns, across the Mississippi River, within or near the city limits of St. Paul, Ramsey County, and Minneapolis, Hennepin County, Minn., are hereby extended two years and four years, respectively, from February 16, 1928.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River in Ramsey and Hennepin Counties, Minn."

CLINCH RIVER BRIDGE, HANCOCK COUNTY, TENN.

The bill (S. 2477) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Clinch River on the Sneedville-Rogersville road, in Hancock County, Tenn., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 3, to strike out the words "consent of Congress is hereby granted to the Highway Department of the State of Tennessee and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto," and insert in lieu thereof the words, "times for commencing and completing the construction of a bridge authorized by act of Congress approved March 2, 1927, to be built by the Highway Department of the State of Tennessee"; on page 1, line 9, after the words "Clinch River" to strike out the words "at a point suitable to the interests of navigation"; on page 2, line 3, after the word "Tennessee," to strike out the words "in accordance with the provisions of the act entitled 'An act to regulate construction of bridges over navigable waters' approved March 23, 1906, and subject to the conditions and limitations contained in this act," and to insert in lieu thereof the words "are hereby extended to March 2, 1929, and March 2, 1931, respectively"; and on page 2, after line 14, to insert a new section 3, as follows:

SEC. 3. That section 2 of said act of March 2, 1927, is hereby repealed.

And on page 2, line 17, to strike out the numeral "3" and to insert the numeral "4," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 2, 1927, to be built by the Highway Department of the State of Tennessee across the Clinch River, on the Sneedville-Rogersville Road, in Hancock County, in the State of Tennessee, are hereby extended to March 2, 1929, and March 2, 1931, respectively.

SEC. 2. The State Highway Department of the State of Tennessee, its successors and assigns, is hereby authorized to fix and charge just and reasonable tolls for the use of such bridge, and the rates of toll so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the act of March 23, 1906.

SEC. 3. That section 2 of said act of March 2, 1927, is hereby repealed.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for the construction of a bridge across the Clinch River on the Sneedville-Rogersville Road, in Hancock County, Tenn."

MISSISSIPPI RIVER BRIDGE, SAVANNA, ILL.

The bill (S. 2483) to extend the time for the construction of a bridge across the Mississippi River connecting the county of Carroll, Ill., and the county of Jackson, Iowa, at or near the city of Savanna, Ill., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 3, to strike out the words "That the times for commencing and completing the construction of a bridge authorized by act of Congress approved May 26, 1924, to be built across the Mississippi River at or" and insert in lieu thereof the words "That the act approved May 26, 1924, granting the consent of Congress to the State of Illinois and the State of Iowa, or either of them, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at or"; and on page 2, line 3, after the word "Iowa," to strike out the words "are hereby extended one and three years, respectively, from date of approval of this act," and insert in lieu thereof the words "be, and the same is hereby,

revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof," so as to make the bill read:

Be it enacted, etc., That the act approved May 26, 1924, granting the consent of Congress to the State of Illinois and the State of Iowa, or either of them, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at or near the city of Savanna, in the county of Carroll, State of Illinois, and the city of Sabula, in the county of Jackson, State of Iowa, be, and the same is hereby revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to revive and reenact the act entitled 'An act granting the consent of Congress to the State of Illinois and the State of Iowa, or either of them, to construct a bridge across the Mississippi River, connecting the county of Carroll, Ill., and the county of Jackson, Iowa,' approved May 26, 1924."

TENNESSEE RIVER BRIDGE

The bill (S. 2490) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Paris-Dover road, in Henry and Stewart Counties, Tenn., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments on page 1, line 4, after the word "Tennessee" to strike out the words "and its successors and assigns," and on page 2, line 7 strike out the word "toll" and insert in lieu thereof the word "toll," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby granted to the Highway Department of the State of Tennessee to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River, at a point suitable to the interests of navigation, on the Paris-Dover road, in Henry and Stewart Counties, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The State Highway Department of the State of Tennessee, its successors and assigns, is hereby authorized to fix and charge just and reasonable tolls for the use of such bridge, and the rates of toll so fixed shall be the legal rates until the Secretary of War shall prescribe other rates of toll as provided in the act of March 23, 1906.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPOINTMENT OF PROVINCE GOVERNORS, PHILIPPINE ISLANDS

The bill (S. 2787) providing for the appointment of governors of the non-Christian Provinces in the Philippine Islands by the governor general without consent of the Philippine Senate was announced as next in order.

Mr. LA FOLLETTE. Let the bill go over.

Mr. WILLIS. Mr. President, there are several Senators who desire to make statements upon the bill, particularly the Senator from New York [Mr. COPELAND], who is not now ready to speak, so I ask that the bill may go over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. LA FOLLETTE. Mr. President, what does the Senator mean by "go over without prejudice"? I want it to go over so far as this particular call is concerned.

The PRESIDENT pro tempore. The words "without prejudice" mean nothing under the unanimous-consent agreement.

Mr. LA FOLLETTE. That is all right if the President pro tempore shall remain in the chair.

Mr. WILLIS. It does not make any difference whether the President pro tempore remains in the chair or not; the Senator ought to understand that that is a phrase used here and that it means absolutely nothing so far as that is concerned.

The bill goes over under the rule, and it went over at my request and not at the request of the Senator from Wisconsin.

Mr. LA FOLLETTE. Very well; it makes no difference to me so long as the bill is not considered.

Mr. WILLIS. It will be considered in due time.

The PRESIDENT pro tempore. The President pro tempore still agrees with both Senators.

RADIO REGULATION

The bill (S. 2317) continuing for one year the powers and authority of the Federal Radio Commission under the radio act of 1927 was announced as next in order.

Mr. BINGHAM. Let the bill go over.

The PRESIDENT pro tempore. The bill will go over.

OFFICIAL PAPERS OF TERRITORIES

The bill (S. 1168) to amend an act entitled "An act to authorize the correction and editing of official papers of the Territories of the United States now in the national archives," approved March 3, 1925, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Printing with amendments on page 2, line 14, after the words "Department of State," to insert the words "and a sufficient number of copies for distribution by the Superintendent of Documents to depository libraries," and on page 3, line 1, after the words "copy reading" to strike out the words "proof reading," so as to make the bill read:

Be it enacted, etc., That section 2 of the act entitled "An act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives," approved March 3, 1925, be, and the same is hereby, amended to read as follows:

"SEC. 2. That the Secretary of State be ordered to continue the work of collecting, copying, arranging, and editing of the official papers relating to the Territories of the United States and to have them issued as a Government publication."

SEC. 3. For defraying the expenses to be incurred in carrying out the provisions of section 2 of this act, including the employment, either in or outside of the District of Columbia, of not to exceed five historical experts, especially informed on the various phases of the Territorial history of the United States, without regard to the classification act of 1923 and the civil service rules, and for the printing and binding of an edition of 600 copies of the publication for the use of the Senate, 1,300 copies for the use of the House of Representatives, and 50 copies for the use of the Department of State, and a sufficient number of copies for distribution by the Superintendent of Documents to depository libraries, and for all other purposes relevant to the carrying out of the provisions of section 2 of this act, salaries for personnel, printing and binding, contingent expenses and traveling expenses, there is hereby authorized to be appropriated, out of the money in the Treasury not otherwise appropriated, the sum of \$125,000, the appropriations to remain available until expended, and under this authorization not more than \$50,000 shall be appropriated for any one year.

SEC. 4. The work of copy reading and index making for this publication shall be done by the regular editorial staff of the Department of State, and the cost of this work—prorated each month according to the number of hours spent and the annual salaries of the clerks employed—shall be charged against such annual appropriations as may be made under the provisions of section 3.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 46) providing for the completion of Dam No. 2 and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes, was announced as next in order.

Mr. KING. Let it go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

SABINO APODACA

The bill (H. R. 4995) for the relief of Sabino Apodaca was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to Sabino Apodaca, of El Paso, Tex., the sum of \$704 as remuneration for injuries occasioned by the said Apodaca's being run over,

maimed, bruised, his leg broken, and serious and probably permanent injuries resulting therefrom, at the hands of one William Pounder, a sergeant in the United States Army connected with the military police.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOEL T. SMITH

The bill (H. R. 4127) for the relief of Joel T. Smith was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of Joel T. Smith, late postmaster at Chester, Mont., in the sum of \$505, due the United States on account of the loss resulting from the closing of the First National Bank of Chester, Mont.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOWARD V. SLOAN

The bill (H. R. 4393) for the relief of Howard V. Sloan was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, to Howard V. Sloan, the sum of \$77.50 for property damages sustained by him to his residence, 507 Union Avenue, Margate City, N. J., by machine-gun bullets fired by members of the United States Coast Guard, who were at the time in the service of and acting for the said United States Coast Guard.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RANDOLPH SIAS

The bill (H. R. 8092) for the relief of Randolph Sias was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Randolph Sias, of Price, W. Va., the sum of \$205, the amount paid by him to the Government for an automobile which was seized under a writ of execution issued out of the District Court for the Southern District of West Virginia and which was subsequently returned to the lien holders.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IDA F. BAUM

The bill (H. R. 766) for the relief of Ida F. Baum was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to Ida F. Baum the sum of \$5,000 for damages suffered by reason of her daughter, Lillian J. Leffard, being struck and fatally injured by a Government automobile which was driven by a civilian employee of the Ordnance Bureau of the United States Army.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OWNER OF SCHOONER "SENTINEL"

The bill (H. R. 2138) for the relief of the owner of the schooner *Sentinel* was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to Capt. Louis P. Sunderland, owner of the schooner *Sentinel*, the sum of \$77.60 for cost of repair to said schooner *Sentinel*, which was damaged by collision with the United States Coast Guard cutter *Smith* on March 21, 1925.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT J. ZYVOLSKI

The bill (H. R. 2145) for the relief of Albert J. Zyvolski was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay, out of the funds of the Alaska Railroad, the sum of \$613.10 to Albert J. Zyvolski for loss of his personal property by fire in section house No. 21, Eklutna, on the Alaska Railroad, on May 28, 1924.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL EXTENSION WORK

Mr. CAPPER. Mr. President, I ask unanimous consent to revert to Calendar No. 76, being the bill S. 1285, for the purpose of submitting a few remarks on that measure, which provides for further development of cooperative extension work in agriculture and home economics.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1285) to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture.

Mr. CAPPER. This bill provides for the further development of the cooperative extension work in agriculture and home economics with men, women, boys, and girls inaugurated under the Smith-Lever Act passed May 8, 1914. The bill is in conformity with the plans of the United States Department of Agriculture and the land-grant colleges for completing the cooperative extension system. The Smith-Lever Act and this measure provide for the putting into practical operation of a permanent national policy for our basic industry—agriculture.

There is an urgent demand from the entire country for the further development of extension work in agriculture and home economics.

Mr. President, agricultural progress and the welfare of those engaged in it have long been recognized as a public matter. Under Article I, section 8, of the Constitution, which gives Congress the power to provide for the "general welfare of the United States," there has been considerable legislation on agriculture and home economics. These legislative acts have been especially appropriate because they have to do with basic vocations, the status of which affects the welfare of the people.

The United States Department of Agriculture was established in 1862 and given a post in the Cabinet in 1889. The first Morrill Act, passed July 2, 1862, donated public lands to the several States and Territories which might provide colleges for the benefit of agriculture and the mechanic arts. It should be borne in mind that the Department of Agriculture was established and the first Morrill Act passed when the country was in the grip of civil war. In time of war the Members of Congress were making preparation for a larger educational opportunity for rural people and a lasting peace.

Again in 1890 the Federal Congress passed the second Morrill Act to apply a portion of the proceeds of the sale of public lands to the more complete endowment and support of the colleges for the benefit of agriculture and mechanic arts, established under the provisions of an act of Congress approved July 2, 1862.

The Nelson amendment to the appropriation act for the United States Department of Agriculture for the fiscal year ending June 30, 1908, made a direct appropriation to support further and to develop the land-grant colleges.

Military training was required in the land-grant colleges under the original Morrill Act.

It is rather simple to provide buildings and instructors to teach agriculture and mechanic arts, but it is a more difficult matter to provide something to teach. These colleges established under the original Morrill Act found that the information and scientific facts available were very limited and of doubtful value.

In 1887 the Federal Congress passed the Hatch Act to establish experiment stations in connection with the land-grant colleges, and to provide Federal aid for their operation.

The work of the experiment stations and the land-grant colleges grew, and the results obtained justified a further addition to the appropriation for the experiment stations. Increased appropriations for the experiment stations were made under the Adams Act, approved March 16, 1906, and under the Purnell Act, approved February 24, 1925. For 40 years the investigational work in the field of agriculture and home economics has been moving at a rapid pace.

The land-grant colleges have grown in enrollment and effectiveness as the results of the experiment stations have been made available to the teaching staff. Paralleling the growth of the experiment stations and the land-grant colleges, the United States Department of Agriculture has increased its experimental work and added the results to those obtained by the stations at the land-grant colleges. Chapters could be written on the beneficial and positive effect on the public welfare that has resulted from the establishment of the land-grant colleges and experiment stations.

PRACTICAL APPLICATION OF SCIENCE TO AGRICULTURE

Crops, livestock, and soil have been thoroughly investigated, and scientific facts have been developed. Economic questions have been studied, and the principles have been applied to cooperative marketing. The work has been so thoroughly done that it has proved practical and successful when applied to the everyday farm operations. The application of the work of the experiment stations in the South to the farms as a whole took a serious turn in 1904, when the cotton boll weevil invaded Texas. There was an insistent demand for scientific information that would help the farmers to meet the emergency. Scientific agriculture came out of the laboratory and classroom and became the tool of the rural people. At first a few men were employed to live among the farmers and teach them by practical demonstrations what science had found in the test tube and the test plot. Congress made a small appropriation for farmers' cooperative demonstrations in the boll-weevil area. The work was so successful that it long since spread into all the States.

In the Northern States, Mr. President, the investigational work in the experiment stations was very successful. No immediate calamity like the boll weevil forced the farmers to turn their attention to the agricultural colleges. At first a few experiment-station workers went out into the State to tell the farmer groups what had been found that was of interest to them. The demand for the results of research were so insistent that other means had to be found to meet the demand of the farmers. For at least 10 years, between 1900 and 1910, the farmers' institute movement flourished in the Northern States. Aggressive States like Iowa established an extension service at the agricultural college as early as 1900. The practice of employing a trained man or woman in a county to demonstrate the practices developed by the United States Department of Agriculture and the experiment station was a natural outgrowth.

Again the Federal Congress passed legislation to meet the need. The Smith-Lever Act was approved May 8, 1914. It provided for an initial allotment of \$10,000 to each State, an additional sum of \$600,000 the following year, and an increase of \$500,000 each year thereafter for seven years. This fund was apportioned to the States on the basis of rural population and was to be offset by an equal amount of funds procured from within the States.

The Smith-Lever Act was significant legislation, because it provided for a systematic increase of funds for extension work. It enabled the administrative officers to do effective planning. It prevented waste of public funds and, most important of all, it provided for practical cooperation between the United States Department of Agriculture and the land-grant colleges in the extension work. It eliminated duplication of effort and conflict. The act provided for a comprehensive system of education for farmers and their families in agriculture and home economics through useful, practical demonstrations under ordinary farm conditions.

DEVELOPMENT OF AGRICULTURAL EXTENSION WORK

The experiment stations and the colleges ceased to be things separate and apart from the farm itself. The Smith-Lever Act brought about a situation where farmers and college men were working shoulder to shoulder on common problems, each contributing his part to the solution of vexing problems of agriculture and home life. This contact with the farming people brought the experiment stations nearer to the farm problems. A comparison of the extension work of county agricultural agents in 1914 with that of 1924 is in a report to the Department of Agriculture. I ask unanimous consent that a quotation from that report may be inserted in the RECORD as a part of my remarks.

The PRESIDING OFFICER (Mr. SWANSON in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

THE TYPICAL COUNTY AGRICULTURAL AGENT IN 1914

On July 1, 1914, 718 counties in the 15 Southern States and 210 in the remaining States in the North and West had agents. Seven States had no county agricultural agents and only two had a full quota. The average annual salary was less than \$1,200, and out of this the county agricultural agent paid his own expenses. He was a mature man about 40 years old, who frequently lived on his own farm and who devoted about 10 months out of each year to the work. His office was his own home. He had no stenographer, no typewriter, and wrote his letters and reports in longhand.

He traveled about his county by horse and buggy, on horseback, or even on foot. He left his home on Monday morning and returned again Saturday night. During the week he followed the road, visiting and talking to farmers, inspecting demonstrations, and arranging for new ones. He lived with the farmers, staying overnight where night

overtook him. Often he managed his trip so as to stay with his "key men" or those whose support he desired to win. His day was the farmer's day plus. He helped the farmer to do the evening chores and after hours he talked with the farmer long after the children had been put to bed and while the farm wife dozed by the fire. Often there would be company and a home meeting would be held.

The agent carried improved seed and demonstration equipment with him. He was truly an itinerant teacher. He was an outstanding man in the community in which he lived, with the qualities of leadership, broad human sympathy, and the spirit of an apostle. By modern standards his work seems crude and ineffective, but he was a pioneer and, like the pioneer farmer, he met conditions as he found them, and under those conditions and with those handicaps he did a great work and did it well.

THE TYPICAL COUNTY AGRICULTURAL AGENT IN 1924

On July 1, 1924, 2,084 counties had agents. All States had county agricultural agents and five States had a full quota. The average salary was \$2,700, and the average amount provided for expenses about \$1,200 additional.

The average county agricultural agent is an agricultural college graduate with practical farm experience and is about 30 years of age and married. He devotes 12 months to the service. He has a "down-town" office with adequate files, telephone, and office conveniences. He has a stenographer and maintains regular office days to accommodate the increasing number of persons who come to him for advice.

He devotes approximately 60 per cent of his time to the field and 40 per cent to the office. He has an advisory council or group of farmers with whom he develops a program and through whom he arranges his demonstrations.

He travels in an automobile and usually returns home every night—sometimes late. He works less with the individual and more with groups. The extension program is less his program and more an expression of the people's desires in regard to what ought to be done.

He still works long hours, and, in spite of modern conveniences, has a job full of hard work. He is still an itinerant teacher, but is more the efficiency agricultural engineer. He still needs to be resourceful and has to meet unusual and unexpected conditions, but his work is better planned. He is less a personal apostle with a message and more the representative of the State college of agriculture and the United States Department of Agriculture. He is less an opportunist and more an analyst, who helps the farmer to determine what is best, demonstrates better practices, and advertises the results. His advance from the pioneer type has been rapid. It is due partly to mechanical conveniences and organization, partly to better training, but primarily to better understanding and cooperation by the farmers, which are in themselves the best fruits of extension work.

The growth of the county agricultural agent work in the United States is shown in the following chart copied from the United States Department of Agriculture Miscellaneous Circular 59.

ALL FARMING SECTIONS NOT EQUALLY BENEFITED

Mr. CAPPER. Mr. President, it should be noted that the original Smith-Lever Act was passed in 1914 immediately before the outbreak of the World War in Europe and that the cost of labor and travel entering into extension work increased as did other things. If conditions had remained the same as they were when the Smith-Lever Act was passed, it is probable that the entire system could have been completed with the funds provided. We are confronted now with the fact that we have an incomplete organization with well-developed extension work in some counties and little or no extension work in others. The unfairness can not continue. As a nation, we must provide equal opportunity for the farmer and his family whether he lives in a dry area in the West or in the Ozark Mountains or in the densely populated prairie lands of the Mississippi Valley.

It is not surprising that some inequalities should have been found in a new piece of legislation like the Smith-Lever Act. Distribution of appropriations on the basis of rural population is about as fair a basis as could be suggested, but the sparse population and great distances in the West and the small number of farms outside of organized villages in the East have given the West and the East a small amount of money for extension work. We are now in a position where we can look backward and survey the progress and plan for the completion of the extension system.

The present bill is the result of the combined effort of the United States Department of Agriculture, the land-grant colleges, the farm organizations, business organizations, women's organizations, and civic groups. In fact, all organizations that should be interested in extension work have expressed themselves as favorable to the bill. There are some minor changes in the bill from the original Smith-Lever Act.

The original allotment without offset has been increased from \$10,000 to \$20,000 to care more equitably for the Western and Eastern States as mentioned heretofore. The authorization is

increased \$500,000 each year for 12 years instead of 7 years as in the original act. The period of 12 years seems to be sufficient to develop and to expand the extension system in an orderly manner. The bill provides that 80 per cent of the funds shall be spent for salaries within the counties. This provision was inserted to insure that every county would be supplied with a sufficient number of agents to direct the work with men, women, boys, and girls. The bill also provides that the funds shall be used to employ men and women agents in fair and just proportions. This provision was inserted to insure the employment of an adequate number of trained women to develop and to carry on a well-rounded extension program.

The original Smith-Lever Act prohibited the participation of extension employees in agricultural trains. The new act permits the administrative director to exercise his judgment regarding this matter.

STATE PARTICIPATION IN EXTENSION WORK

The situation is this: The Smith-Lever Act matured in 1923. The intent of the act was carried out as far as funds would permit. At the present time the Federal Government is contributing \$6,830,000, and the State and local agencies are contributing \$13,500,000. The States are now contributing \$1.94 for every dollar that the Government is appropriating for extension work. The funds obtained within the States come from three sources. The counties appropriate 45 per cent and the State legislatures 46 per cent. The farm organizations contribute 9 per cent. Attention is called to the fact that the States have not only met the requirements of the Smith-Lever Act by meeting the Federal appropriations on a dollar-for-dollar basis but they have contributed to this work nearly twice the amount required in the act.

Records obtained from the United States Department of Agriculture show that funds now used for extension work are apportioned about as follows:

Administration	\$866,782
Publications	249,477
Extension specialists	4,095,795
County extension work	15,185,506
Total	20,397,560

The budget shows that 74.5 per cent of all funds is expended for county extension work and that the expenditures within the counties are allotted as follows:

County agricultural agents	\$9,488,647
Home demonstration agents	2,830,071
Boys and girls' club work	573,747

They have, with the funds available, employed 2,263 white county agricultural agents, 903 white home demonstration agents, 156 county club agents, and 274 negro agents. The question has often been asked, "Will the States complete the extension system if the Federal Government does not increase its appropriations?" A study of the records since the maturity of the Smith-Lever Act in 1923 shows that there has been a slight increase in the number of county extension agents employed. In 1923 there were 3,419 county extension agents employed, while in 1927 there were 3,596—an increase of 177 agents in four years. This is altogether too slow. The new bill will provide for a complete system. Little progress has been made since the maturity of the Smith-Lever Act in completing the extension system. There are 700 counties without county agricultural agents. There are 1,900 counties without home demonstration agents, and there are 1,650 counties without adequate leadership and direction for our farm boys and girls. The purpose of this bill is to supply sufficient funds to complete the extension system by increasing the funds each year for 13 years. There can be no question as to the advisability of completing the extension organization along the lines laid down in this bill. It has the unqualified approval of every agency concerned. It follows the plan that has been in operation under the Smith-Lever Act for 13 years. It has proved successful under test. The bill is sufficiently elastic to meet the conditions as they exist in the States. In the South, where only home demonstration agents and county agricultural agents are employed, the work will be expanded to care for the boys and girls by the addition of assistant county agricultural agents and assistant county home demonstration agents. In the North, where boys' and girls' club agents are employed, the club agents can be introduced into counties as rapidly as the people demand them and the funds are available.

County agricultural agents are employed in approximately 2,100 counties. There are about 700 counties which do not have the services of agents to advise with them regarding their problems of production and marketing. I hold that it is obvious that one-quarter of the counties are laboring under an unusual handicap because they do not have an agent to bring them the results of experimental work. Let me cite a typical illustration from my own home State of Kansas.

PRACTICAL VALUE OF SERVICE TO THE FARMER

In 1918 Shawnee County began through its farm bureau, its county agricultural agent, and the extension service a systematic campaign to utilize improved methods in potato production in the Kaw Valley. Results of this program are shown in the following tables comparing the yield in Shawnee County with that in Pottawatomie County, which did not undertake an organized program in this respect, and has not done so up to the present time. The tables given are compiled from the statistics of the State board of agriculture. I ask unanimous consent that the tables may be incorporated in the Record as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The tables referred to are as follows:

<i>Potato production, Shawnee County, Kans., 1910-1917, prior to the beginning of extension work in the county</i>	
Acreage, 1910	1,845
Acreage, 1917	2,163
Average annual acreage, 1910-1917	1,846
Average annual yield per acre, 1910-1917	91.9
Average price, 1910-1917	\$0.748
Average annual income, 1910-1917	\$126,904.63
<i>Potato production, Pottawatomie County, Kans., 1910-1917; no extension program in the county</i>	
Acreage, 1910	1,266
Acreage, 1917	1,212
Average annual acreage, 1910-1917	1,159
Average annual yield per acre, 1910-1917	72.7
Average price, 1910-1917	\$0.748
Average annual income, 1910-1917	\$62,067.43
<i>Potato production, Shawnee County, Kans., 1918-1924, after extension work was started in the county</i>	
Acreage, 1918	2,831
Acreage, 1924	5,887
Average annual acreage, 1918-1924	3,907
Average annual yield per acre, 1918-1924	122.6
Average price, 1918-1924	\$1.12
Average annual income, 1918-1924	\$536,589.54
<i>Potato production, Pottawatomie County, Kans., 1918-1924; no extension program in the county</i>	
Acreage, 1918	1,301
Acreage, 1924	761
Average annual acreage, 1918-1924	881.1
Average annual yield per acre, 1918-1924	74.8
Average price, 1918-1924	\$1.12
Average annual income, 1918-1924	\$73,781.28

Mr. CAPPER. It will be observed in this table that Shawnee County during the period 1910-1917, or those eight years prior to the adoption of its improvement program, grew an average annual acreage of 1,846, and had an average annual yield of 91.9 bushels per acre. During this same period of time Pottawatomie County had an average annual acreage of 1,159 and an average annual yield of 72.7 bushels per acre.

Shawnee County, after extension work began in 1917, increased its acreage, until in 1924 it grew 5,887 acres, whereas Pottawatomie County, in this same period, declined to 761 acres.

Shawnee County, during the period of 1918-1924, had an average acreage of 3,907, or an increase of 111.1 per cent over the period 1910-1917. Its yield increased from 91.9 in the period 1910-1917 to 122.6 in 1918-1924, or an average annual increase of 33.4 per cent.

Pottawatomie County, during the period 1918-1924, decreased its acreage until in 1924 it was growing only 761 acres, a decrease of 59.2 per cent in comparison to the period 1910-1917. This county grew an average annual acreage of 881 during the later period, a decrease of 109.5 per cent, as against Shawnee County's increase of 111.1 per cent.

Pottawatomie County's yield per acre increased from 72.7 bushels per acre in the period 1910-1917 to 74.8 bushels per acre in 1918-1924, an increase of only 2.8 per cent in comparison with Shawnee County's increase of 33.4 per cent.

The probable net increase in income to Shawnee County for the period 1918-1924, resulting from the improvement campaign, may be estimated at more than \$1,900,000.

Another illustration from my home State: A study of the agriculture of Edwards and Pawnee Counties, which are similar in soils, adjoin each other, and are both crossed by the Arkansas River, reveals in a striking manner the value of a systematic agricultural program carried out by a well-organized farm bureau and a good county agent. The agricultural statistics collected by the State board of agriculture enable us with a satisfactory degree of accuracy to measure the relative progress of the agriculture of the two counties.

A comparison was made of the value of all farm crops and of wheat and corn yields for the seven-year period before and the seven-year period after the installation of a county agent in Pawnee County. Some striking contrasts appear.

The area under cultivation in each county increased nearly the same during the period—6 per cent in Pawnee County and 7 per cent in Edwards County.

The value of all crops in Edwards County during the earlier period was \$16,572,090, and in the later period \$21,238,870, an increase of \$4,666,780. This shows an increase of 28 per cent, as compared to a 54 per cent gain in Pawnee County.

Pawnee County's percentage increase in value of all crops was almost twice that of Edwards County, and it must be remembered that the increase in area of both counties was the same. Pawnee County's total dollar increase over Edwards County was \$8,483,252, or \$1,211,893 per year.

A study of acre yields of crops in the two counties will indicate the reason for this difference in agricultural income.

Pawnee County (with an agent) increased its yield of wheat 2½ bushels per acre over the production in Edwards County (without an agent) during this period, and its corn yield by 3.2 bushels per acre.

These increases in yields account for the major part of the increase in total gain in income from farm crops in Pawnee County (with an agent) as compared to Edwards County (without an agent).

These figures would seem to indicate clearly that the agricultural extension programs carried on in Pawnee County by the farm bureau and the county agent, with the cooperation of the agricultural college, have borne good fruit. The results have now reached a point where they average more than \$1,000,000 per year. This is an interesting light upon the problem of making the farm pay during these difficult times.

HOME-DEMONSTRATION WORK

Mr. President, home-demonstration work to date has rendered a service to farm women and girls which has brought about economic contribution, home-making efficiency, and social satisfaction in farm homes in every State. One million farm homes were reached by home-demonstration work during 1926.

Results achieved include increased physical well-being, additional income for family needs, more efficiency in carrying on essential home tasks, greater comfort and beauty within the farm home, attractive surroundings for it, and constructive use of leisure hours. Satisfying community life has been an objective of home-demonstration work, and the activities of agents have added to the physical and social well-being of the community as a whole and aided the beautification of the rural community.

By far the most important achievement has been the discovery and development of leadership among farm women which has been actively expressed through their participation in and contribution to all types of worth-while endeavors for the farm, the farm home, and the farming community.

Home-demonstration work as a part of the cooperative-extension service began as tomato-canning club work for girls in South Carolina in 1910. It was recognized by those endeavoring to combat the ravages of the boll weevil that not only the farm, but the farm home must be made satisfactory; and the farm woman as well as the farmer must have high standards and challenging objectives if agriculture was to be efficient and to retain the loyalty of a high type of citizenship.

The early growth of home-demonstration work was remarkable. In 1910 there were but four county home-demonstration agents. The work with adult women began in 1913. By 1918, when the war-time program was at its height, there were 1,715 county home-demonstration agents teaching rural women and girls the basic facts of food and clothing conservation. With the withdrawal of the emergency appropriations the number was reduced to 699 in 1921. Since that period there has been a gradual increase, but this has been hampered by lack of adequate Federal funds.

There are 3,064 agricultural counties in the United States, 2,379 of which have 1,000 or more farms. During 1926 but 816 counties had full-time white home-demonstration agents. There were 108 negro home-demonstration agents.

So insistent were the requests for home-demonstration work by women in counties where funds were not available for full-time service that plans were evolved for part-time service, and 60 white home-demonstration agents carried on home-demonstration work in two or more counties during 1926. In addition to the above requests for home-demonstration work women in large numbers recognized the need of this service but lived in counties where funds were not available, or where other reasons existed which prevented the employment of a full-time home-demonstration agent. In 777 such counties a small extent of home-demonstration work was conducted by home-economics specialists as an indication of the far greater service that might be rendered were funds available for a full-time county home-demonstration agent.

In addition to the county home-demonstration agents, the home-demonstration staff of 1926 consisted of 46 State home-

demonstration agents, 83 assistant State home-demonstration agents, and 160 home-economics specialists.

As evidence of the effectiveness of home-demonstration agents, during the last year 469,465 farm women conducted sustained demonstrations of desirable farm-home practices, 188,595 farm girls were helped to conduct demonstrations in some phase of farm-home making, and 12,465 farm boys to conduct demonstrations contributing to greater satisfaction in the rural home.

DEMAND FOR MORE HOME-DEMONSTRATION WORK

Although the utilization by farm women of this educational service has rapidly increased from year to year the work has been greatly hampered in its expansion by insufficient funds.

During 1926 the State leaders of home-demonstration work from Georgia, Kansas, Texas, and North Carolina reported that 29 counties had made the required county appropriations for home-demonstration agents and were on the waiting list ready to add home-demonstration agents when Federal and State funds were available. The North Carolina State agent reported:

For five years the number of counties in home-demonstration work has remained practically stationary owing to the static condition of State and Federal appropriations. Counties asking for home-demonstration work have not been supplied on account of lack of State and Federal funds with which to meet their appropriations. Nine such counties have asked for organization.

The Kansas State home-demonstration leader reported eight counties on the waiting list. Texas reported seven counties waiting, five of which had appropriated \$1,500, and two \$1,200 each. The Georgia State agent reported:

Five counties are on the waiting list for home-demonstration agents as soon as State and Federal funds are available.

The Minnesota State leader wrote:

Interest in obtaining a home-demonstration agent is keen and the attitude good in several counties, but with the present State and Federal appropriations no increase in the budget is possible.

The Iowa State leader reported:

Lack of funds to support two agents adequately is the problem to be solved in some way.

The Wyoming State leader indicated that additional counties would probably be available if funds from State and Federal sources were obtainable.

Mr. President, despite the difficulties which confront it home-demonstration work is slowly but surely being recognized as a basic factor in agricultural well-being. Kentucky reported that during 1926 several counties made three-year appropriations for home-demonstration work. The State agent from Georgia reported:

In the 63 counties with home-demonstration agents renewal appropriations were promptly granted.

The State agent from Tennessee reported:

In practically every county there was more support of appropriations for home-demonstration work than ever before.

Maryland reported:

County commissioners have responded favorably to requests made for the support of home-demonstration work.

Illinois reported:

One of the encouraging features of the financial program this year was the greater knowledge and interest which the women have concerning this phase of the work. Each county has a finance committee.

New York reported that in the majority of counties the local women have assumed entire responsibility for the detailed county budget for home-demonstration work.

Vermont reported:

The women have given more thought to and have assumed more responsibility for county funds for home-demonstration work.

VALUE OF THE SERVICE TO FARM WOMEN

That home-demonstration work is meeting a vital need is indicated by the volume of unpaid volunteer service which is being given to its development and further expansion by farm women. During 1926, 126,709 farm women gave an average of 12 days' time per woman in helping to plan the program, in extending the information to women already in organized groups, and in interesting additional women to join the groups for the purpose of receiving the information.

That farm women recognize the value of having a full-time county home-demonstration agent is indicated by the following

excerpts from comments made by some Iowa farm women, as reported by the Iowa State home-demonstration leader:

The only thing lacking in home-demonstration service is that not enough counties have agents. It is up to the "believers" to sell home-demonstration-agent service so that more counties will make that their goal.

Because of the progress women and girls have made they deserve a leader who understands the conditions and needs of all the county.

My work has proved to my own satisfaction that a home-demonstration agent pays, and pays big, not only for the sake of project work but that it brings about that understanding of the necessity of organization for agriculture.

The home-demonstration agent cooperates with or interests business men, bankers, doctors, nurses, librarians, and others. She sells the job to them, and thus strengthens our work.

The home-demonstration agent helps make definite and well-balanced project programs.

The home-demonstration agent gives all her time to her work; even the best of volunteer county project leaders can not possibly give the time and thought these important projects require.

The home-demonstration agents apply their technical training to the home makers' practical training, thus making housekeeping and home making easier, more practical, and more economical.

They keep up on new home-economics movements and pass them on to their farm women and girls.

Project work can be conducted on a more intensive basis, thus giving the women more help and help to more women.

The home-demonstration agent injects new ideas into work each year and interests girls and women in carrying them out.

Mr. President, results of home-demonstration work have included every field of well-being for the farm family. The farm family is better housed, fed, and clothed. Standards of positive health and how to obtain it and to prevent illness have been taught to and achieved by them.

Available income has been utilized economically, and home-demonstration activities in home crafts, gardening, poultry, and dairying activities have supplemented the income from farm crops and stock. Household tasks have been accomplished in a minimum of time and with the assurance of satisfactory results, and the time thus saved has been used for enriching family life and neighborly hospitality. Homes have been beautified indoors and out.

In this time of economic stress among farm people, instances have been reported where farm crops failed and the farm woman, through the aid of home-demonstration work, was enabled to earn enough money from her poultry to provide food and clothing for the family.

Home-demonstration work also has contributed to improved rural-community life. Hot school lunches, community recreation, beautified highways and public grounds, community houses, wholesome recreation at county fairs, improved fair exhibits, are some of the results of home-demonstration work.

Not only have tangible economic and physical improvements been made as a result of home-demonstration work, but there have been other values which can not be measured, but which have made rich contribution to rural life. Some of these less tangible results include the development of a consciousness of the positive values in rural life; pride in the rural community; consciousness of the importance of a worth-while home; joint family effort toward a given objective in work and in play; capable leadership among farm women in analyzing rural needs and in planning ways and means to obtain such needs; neighborly cooperation replacing individualism and suspicion; knowledge and constructive effort replacing old-time apathy, misinformation, and prejudice; enlarged horizon resulting in enlarged interests in toleration of the point of view of others and in a desire to be more efficient; recognition of responsibility to the community and willingness to make a contribution of one's time and effort for the good of all; social satisfaction arising from contacts made during home-demonstration meetings and during community recreational affairs conducted by them.

FARM WOMEN GREATLY INTERESTED

Evidence of the broadened interest of farm women due to home-demonstration work is indicated by the following quotations from farm women in various States:

A new era dawned for the farm woman when the home-demonstration work came to her rescue to brighten her pathway and make life on the farm so much more worth while. It develops a community spirit, the value of which can scarcely be estimated. It develops the farm woman's latent abilities and enables her to be a local leader, which is an education in itself, to preside at meeting or work in various ways for the good of the home and the community—a task which before this work was started she would have thought altogether impossible for her to perform.

Although the project work has been most valuable, if extension work has done nothing else it has been of untold value when it developed the community spirit and called the people together to enjoy each other's society, to help to solve their problems, and make this old earth a better place in which to live.

I have improved my home because I have been led to inspect it carefully and to correct the weak points in my management.

I have improved the health of my family by learning tactful ways to interest them in the use of whole grains, more milk, more vegetables, less meat, less sugar.

It has opened to me the vast possibilities in the future for agriculture.

It has aided me to be more helpful to my husband and two little boys by making our home more cheery and attractive.

It has been a very great aid to me in studying the condition of our county.

Extension work has helped me to be a better citizen through recognition of the fact that through our vote we have the power to help to establish a better government.

It has inspired me to teach my girls the beauties and blessings of farm life.

I have learned to think and to serve beyond my own community.

It has helped us to help ourselves. It has taught us greater respect for our jobs as farm women. It has taught us to make the most of the opportunities at hand.

It has improved living conditions for the farm family and made the work lighter for thousands of farm women throughout the State.

Contentment in the country; an appreciation of the possibilities in farm life.

To date less than one-third of the agricultural counties have county home-demonstration agents, and only one-fifth more of the agricultural counties have had the aid of home-economics specialists from the agricultural college for a few meetings each year.

Mr. President, farm women in America are going through such a period of discouragement due to economic difficulty and inequality of social and educational opportunity for themselves and their children that their courage needs strengthening if the better type of families are to remain on farms. When it is realized how much improvement in condition in farm homes and in morale among farm women has been brought about by the present limited home-demonstration staff, and when it is realized that the farm woman and the farm home are equally vital factors with the farmer and the farm in determining the future of agriculture in America, it would seem wise expenditure of public-funds to extend home-demonstration-agent work to the other two-thirds of the agricultural counties, thus making this helpful service available to all farm women and girls throughout the United States.

One farm woman epitomized the home-demonstration agent as "heaven come to earth in a tin Lizzie." The home-demonstration agent is a friend to every farm woman. The farm home, the farm community, and the business of agriculture are strengthened by her service. Every farm woman in the United States needs the helpful instruction that is made available through the appealing informal human contact with the home-demonstration agent.

This bill provides sufficient funds to cooperate with the States and the counties in the employment of a home-demonstration agent in practically every rural county of the United States.

BOYS' AND GIRLS' 4-H CLUB WORK

Mr. President, the most outstanding feature of the extension work has been the cooperation of men, women, boys, and girls on the common problems of the farm and the home. It would be impossible to develop a productive dairy herd on a farm if the young people were not interested in dairying. It would likewise be impossible to make a happy and comfortable farm home if boys and girls were not interested in farm and home life.

To develop this cooperation, boys' and girls' 4-H club work has been organized throughout the United States. The club work constitutes a part of the national agricultural extension system, by means of which instruction in agriculture and home economics is given to rural boys and girls by the United States Department of Agriculture, the land-grant colleges, the county, and often other local agencies cooperating. The instruction is given by means of farm, home, and community demonstrations and club activities, carried on by the young people themselves for the purpose (1) of helping country boys and girls to improve rural farm and home practices and the social life of their own communities, (2) of showing them the possibilities of rural life, (3) of aiding those who so desire to become efficient farmers and home makers, and (4) of teaching rural boys and girls how to make of themselves public-spirited, useful citizens and leaders in rural affairs.

In the 12-year period following the passage of the Smith-Lever Act, 1915-1926, inclusive, more than 6,000,000 boys and girls have been engaged in 4-H club work. As club members, these boys and girls pledged themselves to carry out a farm or home enterprise, using the best practices developed by the State agricultural colleges and the United States Department of Agriculture. Under the supervision of State and county extension agents of these cooperating institutions, they undertook voluntarily to teach themselves, their friends, and their neighbors, by actual demonstrations, the value of such practices. In so doing, they have made a genuine and substantial contribution to the improvement of American farm life.

Some idea of the proportions to which this work has grown may be gained from the fact that 586,156 different boys and girls were enrolled in the 4-H clubs in 1926, their demonstrations of better practices covering a wide variety of farm and farm-home interests. This growth of the boys' and girls' club movement since the passage of the Smith-Lever Act has been due to the enthusiastic cooperation of the United States Department of Agriculture and the State agricultural colleges, the counties, farm and business organizations, citizens' associations, and the like. This growth is commendable, indeed, and every American may well feel gratified at the progress made thus far. But there is still much to be done.

We have about 11,000,000 boys and girls between the ages of 10 and 18 in the rural districts of the United States, nearly 3,000,000 of whom, or about 27 per cent, are not in school. The greater number not in school are between the ages of 14 and 18. That is a group nearly half as large as the farmers in the United States. These young people are out of school for various reasons—some because their parents want them to work, some because they are tired of school and do not want to attend, some because they do not think an education pays, and some because they do not get along well in school. For one reason or another they are out of school, and out at just the most critical time in their lives. Boys and girls, 14, 15, and 16 years old, just changing to manhood and womanhood, are out of school and receiving little or no guidance from any public agency. How shall we continue their education along right lines? Can we give them any guidance?

The public-school system contemplates giving free instruction to young people for 12 years, or between the ages of 6 to 18. Yet nearly 1,000 rural boys and girls per county—an average of 960—are out of school and away from its influence. Stated in a more graphic way, this is the equivalent of about 20 one-room, 40-pupil schools per county, practically without a single teacher. How can we continue to guide and to educate this group?

FURTHER EDUCATION FOR FARM BOYS AND GIRLS

Mr. President, the State agriculture college is peculiarly interested in rural problems. It is an educational institution. It would seem that these 3,000,000 rural boys and girls out of school in the rural districts of the United States are especially its concern and that of the State. Under the guidance of the agricultural college, and aided by the counties and the people themselves, we should consciously go about reaching, influencing, guiding, and continuing to educate this group.

Boys' and girls' 4-H club work has in it that which appeals to the young people on the farm.

Four-H club work emphasizes cooperation. It provides opportunity for boys and girls to share home responsibilities in keeping with their ability and gives them a part in meeting the problems of their rural community.

Four-H club work is demonstrating good practices in farming and in home making. What is thus being demonstrated is finding its way into the lives of rural people.

Four-H club work develops rural leadership. It is discovering and developing future rural leaders from among the club members themselves as well as providing training for those now acting as club leaders.

Four-H club work emphasizes the home. The practical work of the club—the demonstration—is usually at the home. Club work brings parents and children increasingly together in a common interest.

Club work likewise brings rural young men and women in contact with the best practices and finer things in agriculture and the home, developing in them the right attitude and sympathy toward farm work and the open country and giving them faith in the industry and pride of occupation.

Club work has the further quality of interesting and bringing under its influence the boys and girls out of school as well as the boys and girls in school.

Probably one of the most valuable things club work does, Mr. President, is to bring boys and girls into responsible contact with the live problems of the community. Through having them to do something on the farm or in the home that is worth

while, it gets them in touch with men and women who may encourage them to finish school, to go on to college, or otherwise to fit themselves better for life's work.

The extension organization has rendered excellent service by enrolling more than 586,000 boys and girls in these 4-H clubs annually, but as a nation we can not be satisfied until adequate leadership has been provided in every county in the United States, so that every boy or girl between the ages of 12 and 20 years may have the proper direction and help. If 4-H club work is stimulating and helpful to 600,000 boys and girls, it will be equally beneficial to the thousands that are still outside of its influence.

Mr. President, this bill will help to provide the qualified and trained leadership not now available in the extension service, necessary to reach the large number of rural boys and girls who are not now able to participate in the advantages of boys' and girls' 4-H club work.

All of us who have been engaged in public affairs have come in contact with these members of the 4-H clubs. They are serious-minded, happy, industrious young people. These 4-H clubs are open to every boy or girl, without dues or other formalities. The only requirement is that each shall undertake a home project, using the better practices in agriculture or home economics, and then pass the result of the trials on to friends and neighbors. It contributes to national stability and public welfare to have our young people so directed during young manhood and womanhood. This bill will provide for adequate leadership for farm boys and girls in 4-H clubs.

Mr. McKellar. Mr. President, I desire just a moment to say that I approve very heartily of the sentiments expressed by the junior Senator from Kansas on the farm extension bill. I do not think there is any service that the Government performs in the country which is any better than that service. I think it ought to be extended; I believe the appropriations ought to be increased as provided in this bill; and I shall be very happy to vote for it. I hope that it may come up at a very early day and be passed by the Congress.

REVISED QUOTA SYSTEM OF IMMIGRATION

Mr. Watson. Mr. President, on Saturday last I introduced a bill on the subject of immigration. I made no remarks concerning it, and I do not desire to do so at this late hour; but I ask unanimous consent to have printed in the Record a statement regarding the effect of that bill.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

PROPOSED REVISED QUOTA SYSTEM

The bill proposes that the future immigration quotas of the various European and other countries from which immigration is now limited by the act of 1924 shall be based on both the present system and the so-called national-origin plan which will become effective July 1, 1928, unless modified by congressional action. The proposal is that where the quota as established under the national-origin plan exceeds present allotments, such number shall be the quota of the country concerned, but in no instance shall the quota of any country be less than that now allotted under the 1890 population method.

According to provisional figures submitted to Congress at the last session the quotas of 13 countries would be increased by a total of 47,108 under the proposed plan, the principal increases being as follows: Great Britain and Northern Ireland, from 34,007 to 73,039; Russia, from 2,248 to 4,781; Italy, from 3,845 to 6,091; with minor increases in the quotas of Netherlands, Austria, Spain, Hungary, Greece, Lithuania, Turkey, Yugoslavia, Finland, and Latvia.

On the other hand, if the national-origin plan goes into effect without modification the quotas of 13 countries will be reduced, the principal reductions, according to the provisional figures, being Germany, 51,225 to 23,428; Irish Free State, 28,567 to 13,862; Sweden, 9,561 to 3,259; Norway, 6,453 to 2,267; Denmark, 2,789 to 1,044; Poland, 5,982 to 4,978; Switzerland, 2,081 to 1,198; with smaller decreases for Austria, Belgium, Czechoslovakia, Danzig, France, and Rumania. Under this bill, however, there would be neither an increase nor decrease in the quotas of these countries, and the increase of 47,108 in the case of Great Britain and Northern Ireland and other countries would be offset by extending the quota system to countries of the New World, the natives of which may come in unlimited numbers under the present law.

NEW-WORLD QUOTAS

The bill proposes still another method of allotting annual quotas to countries of the Americas, it being provided that such quotas shall be fixed at 10 per cent of the number of natives of such countries resident in the United States as determined by the census of 1890, with a minimum quota of 2,000 for each country.

The proposed annual quotas of New-World sources contrasted with the number of natives of the same areas admitted as nonquota immigrants in the fiscal year 1927 are as follows:

Country	Proposed quotas	Non-quota immigrants admitted in 1927
Canada and Newfoundland.....	98,094	73,728
Mexico.....	7,785	77,155
Cuba.....	2,000	2,279
Dominican Republic, Haiti, and Central America (9 countries).....	18,000	1,829
South America (10 countries).....	20,000	3,666
Total.....	145,879	158,657

TOTAL QUOTAS

If the bill becomes a law every country in the world would have a fixed annual immigration quota, and such quotas would aggregate 357,654, compared to 158,657 quota immigrants, and 158,070 natives of nonquota countries, or a total of 317,727 admitted in the fiscal year 1927 under the act of 1924.

Other provisions of the bill follow:

TEMPORARY LABOR

That in addition to the quotas of foreign contiguous countries the Commissioner General of Immigration, with the approval of the Secretary of Labor, may during the next two fiscal years admit temporarily, for periods of not more than six months, not to exceed 10,000 otherwise admissible aliens from each such country to perform seasonal or emergency labor in the United States, provided that labor of like kind unemployed can not be found within a reasonable distance of where such labor is to be performed.

REUNITING FAMILIES

That the lawful wife and minor children of an alien who was legally admitted to the United States for permanent residence prior to July 1, 1924, shall, on petition of such resident alien in the manner provided in section 9 of the immigration act of 1924, be accorded a nonquota status, but such provision shall not apply in cases where marriage occurred subsequent to such legal entry: *Provided*, Such wives and minor children depart for the United States within one year from the passage of this act: *And provided further*, That the number of non-quota visas so issued shall be limited to 30,000.

VISAS FOR FAMILY GROUPS

That an immigration visa shall not be issued to an alien until such visas are also available for issuance to his wife and minor children, but in the event any such alien desires to proceed to the United States in advance of the other members of such family group the visas shall be issued to or made available for such remaining members, such availability to continue for one year from the date of issuance, with a provision that for good cause shown the Commissioner General of Immigration, with the approval of the Secretary of Labor, may extend that period one year.

PREFERENCE CLASSES EXTENDED

That 75 per cent of the quotas shall be available for preference in the issuance of immigration visas to relatives of United States citizens and other classes instead of 50 per cent as provided in the present law. That the preference in the issuance of immigration visas now accorded to persons skilled in agriculture, under section 6 of the immigration act of 1924, shall be available only when authorized by the Secretary of Labor and on a valid showing that the service of any such alien is needed in farm work in the United States, or that he is coming to engage in independent agricultural pursuits in this country.

That aliens in whose behalf the contract labor provisions of the general immigration law have been waived, as provided in section 3 of the immigration act of 1917, shall be granted a preference in the issuance of immigration visas, and that like preference shall also be granted to members of the learned professions, such preferences to be authorized by the Secretary of Labor on a valid showing that the service of any such alien is needed in the United States.

PENALTY FOR BRINGING STOWAWAYS

That when an alien stowaway is found on board a vessel arriving at a United States port a fine of \$1,000 shall be imposed on the vessel bringing such alien, unless, in the opinion of the Secretary of Labor, the presence of such alien on board could not have been discovered by competent officers of the vessel at the port of departure or during the voyage.

STUDENTS

That immigrant students now classified as nonquota immigrants under the immigration act of 1924 be reclassified as nonimmigrants under section 3 of that act, and that provision be made for their admission under bond as provided in section 15 of the same act.

PROTECTION OF MIGRATORY GAME

Mr. NORBECK. Mr. President, I ask unanimous consent that Senate bill 1271 be made the unfinished business. It is the migratory bird bill.

Mr. KING. I shall have to object to that.

The PRESIDING OFFICER. Objection is made.

Mr. NORBECK. Mr. President, I do not care at this time to make a motion to take up the bill; but I give notice now that to-morrow, at the proper time, I desire to make a motion to take it up and make it the unfinished business.

RADIO REGULATION

Mr. DILL. Mr. President, I have twice had up to-day Senate bill 2317, Order of Business 228, and there has been some objection; but I think the Senators who objected are willing to agree to the consideration of the bill now, and if it does not take any lengthy debate I should like to have it passed before we adjourn.

Mr. CURTIS. I desire an executive session. If the bill does not lead to debate, I am willing to defer the motion.

The PRESIDING OFFICER. Is there objection to the present consideration of Order of Business 228, Senate bill 2317?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill, which had been reported from the Committee on Interstate Commerce, with an amendment.

Mr. KING. I should like to have the bill read.

The PRESIDING OFFICER. The bill will be read.

The Chief Clerk read the bill.

The amendment of the Committee on Interstate Commerce was, on page 2, after line 3, to add a new section, as follows:

SEC. 3. Prior to January 1, 1930, the licensing authority shall grant no license or renewal of license under the radio act of 1927 for a broadcasting station for a period to exceed six months and no license or renewal of license for any other class of station for a period to exceed one year.

So as to make the bill read:

Be it enacted, etc., That all the powers and authority vested in the Federal Radio Commission by the radio act of 1927, approved February 23, 1927, shall continue to be vested in and exercised by the commission until March 16, 1929; and wherever any reference is made in such act to the period of one year after the first meeting of the commission, such reference shall be held to mean the period of two years after the first meeting of the commission.

SEC. 2. The period during which the members of the commission shall receive compensation at the rate of \$10,000 per annum is hereby extended until March 16, 1929.

SEC. 3. Prior to January 1, 1930, the licensing authority shall grant no license or renewal of license under the radio act of 1927 for a broadcasting station for a period to exceed six months and no license or renewal of license for any other class of station for a period to exceed one year.

The amendment was agreed to.

Mr. KING. Mr. President, I would like to have an explanation of the significance of that amendment.

Mr. DILL. Mr. President, I may say to the Senator that at present a license may be granted for a broadcasting station for three years. This cuts the period down, until 1930, to six months. We so provide because we feel that the continuous development of the art results in so many changes in conditions that the commission should not be permitted to freeze the situation, if I may use the term, by granting licenses for longer than six months.

I may say that the commission has not given a license for more than 60 days up to this time. The licenses for other stations are limited to one year, although the law at present permits the commission to grant five-year licenses. It was felt that during this period of establishment, allocation, and building up of systems these licenses should be limited.

Mr. KING. Mr. President, much could be said in opposition to this bill and in condemnation of the methods employed by the Radio Commission since its creation. I have found very few, if any, satisfied with the commission, with the personnel, or with its administration of the law.

However, there seems to be a situation which calls for some relief, and, as I understand the contention, this will afford some little relief, but it will not bring about all that is desired. I wanted to ask the Senator why he provides for continuing the commission for more than one year from the date of the passage of the bill. The shorter the better, it would seem to me.

Mr. DILL. For the reason that the commission will continue anyhow, and it is just a question of whether the commission is to continue as an appellate body, the Secretary of Commerce to do the original work, or whether it will continue to handle this original jurisdiction work for another year. As I stated a while ago, when I had the matter up before, there has been a lack of money, and two of the commissioners have died and one has left the board, so that the board has been handicapped in doing its work, and the committee felt it ought to have another year

to meet those problems, as well as new problems which have arisen under the short-wave length situation.

Mr. McKELLAR. Mr. President, I am in sympathy with the purpose of the bill, and I think it ought to pass, but I wanted to ask the Senator whether under this bill any licenses for a longer period than one year will be granted.

Mr. DILL. No licenses have been granted for broadcasting stations for longer than 60 days, and no licenses have been issued for any other class of station for longer than one year. Under the present law they might issue licenses for broadcasting stations for three years, or they might issue licenses for other stations for five years.

Mr. McKELLAR. If this bill passes, under those circumstances will there be a license issued for longer than one year?

Mr. DILL. For the broadcasting stations not more than six months.

Mr. KING. That is the feature of the bill which leads me to support it.

Mr. PITTMAN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will read.

The CHIEF CLERK. Add a new section, to be known as section 4, and to read as follows:

SEC. 4. The term of office of each member of the commission shall expire on February 23, 1929, and thereafter the commissioners shall be appointed for terms of two, three, four, five, and six years, respectively, as provided in the radio act of 1927.

Mr. PITTMAN. Mr. President, under the present law, unless we amend it, these commissioners, who have been nominated by the President and whose appointment has been approved by the committee and referred here, will be confirmed for 2, 4, 5, and 6 years. If this amendment shall be adopted, their term of office will expire in one year.

Mr. SACKETT. Mr. President, may I ask whether the present nominations would hold good under this amendment, or would the appointees have to be renominated?

Mr. PITTMAN. I do not think they would have to be renominated, for the reason that we have a right to terminate an office when we see fit, and if the office is terminated ipso facto the appointment dies.

Mr. WATSON. I do not think they would have to be renominated under the amendment.

Mr. PITTMAN. I think it would save confusion, however, if before their confirmation by the Senate—and certainly they have not any office until they are confirmed by the Senate—we shall have passed this measure, which declares that the offices of all commissioners shall expire on February 23, 1929.

Mr. McKELLAR. Mr. President, how many of the commissioners have already been confirmed whose terms of office extend beyond February 1, 1929?

Mr. PITTMAN. None of them.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. PITTMAN].

The amendment was agreed to.

Mr. BLEASE. Mr. President, I am opposed to this radio legislation and I objected to the consideration of this bill; but having been assured by some of my colleagues that it is the best we can get at this time and that possibly we can kill the snake by degrees, I am willing to let the bill go through now.

Mr. KING. Mr. President, may I inquire of the Senator from Washington or the Senator from Nevada, as well as the able chairman of the committee, whether the understanding is that there will be no confirmations until this legislation is disposed of?

Mr. WATSON. I am aware of no understanding about it. I mean by that that if the bill should pass here to-day, my colleague on the committee, Senator DILL, is going to the other House to take it up with the gentlemen there, with some assurance of getting it through. Of course, as far as I am concerned, I think the life of the commission should be extended a year, whether this legislation passes or not. I believe it would be a very great mistake not to do that.

Mr. SMITH. Mr. President, with the permission of the Senator, I think it was thoroughly developed in the investigation by the committee that the interest of all parties concerned would be greatly enhanced if we restricted the life of the commission as proposed in the amendment offered by the Senator from Nevada.

Mr. WATSON. We all agreed to that to-day.

Mr. SMITH. That was thoroughly understood, because it is not only such a technical development, but it is a matter of such vast importance. There is not a single invention of modern times that has in it the element of power, so far as organized society is concerned, that the radio has. Many improvements

are being made, and the different methods of the use of radio are changing rapidly, and it is imperative that we shall have more stabilized conditions before we appoint commissioners to hold office for any great length of time.

I sincerely hope that no effort will be made to jeopardize the passage of this measure as it is now amended, either by insisting on compromise or otherwise. I think it would be unjust to the nominees to bring out all the matters gone over in the committee, which are more or less conjectural, and in fairness to them and in fairness to the public at large I believe we ought first to pass this measure as amended.

Mr. McKELLAR. Mr. President, may I ask the chairman of the committee if these nominations have yet been acted upon by the committee, or brought up before the committee?

Mr. WATSON. They were acted on by the committee.

Mr. McKELLAR. Have they been reported to the Senate?

Mr. WATSON. They have not been reported.

Mr. SMITH. But they have been acted on.

Mr. WATSON. This is the situation, I may say candidly to my friend from Tennessee. The Senator from Washington [Mr. DILL] and the Senator from Nevada [Mr. PITTMAN] were preparing this amendment, and I had called a meeting of the committee for 2.30 this afternoon for the purpose of finishing up the hearing, or taking action on the confirmations of the radio commissioners. I did not know that those two Senators were down here at work on this amendment. The remainder of the committee, practically all of them, got together and concluded the hearings, and unanimously agreed to report favorably the confirmation of the commissioners. I came down and found that these Senators were disappointed because they had not attended the committee meeting. Whereupon I got in touch with some of the other members of the committee, and we agreed temporarily to hold up the report to the Senate.

Mr. McKELLAR. I did not understand just what the situation was. I am very glad to have the explanation of the Senator from Indiana.

Mr. DILL. I want to say that it was my understanding that we would try to pass this amendment first before the confirmations should be passed upon by the committee.

Mr. WATSON. I agree to that.

Mr. DILL. I think the Senator from Indiana acted in good faith, but it was not in accordance with my understanding, and I appreciate getting the bill through at this time.

The PRESIDENT pro tempore. The bill is still as in Committee of the Whole and open to amendment.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill continuing for one year the powers and authority of the Federal Radio Commission under the radio act of 1927, and for other purposes."

PAY OF IMMIGRATION OFFICERS

Mr. CURTIS and Mr. REED of Pennsylvania addressed the Chair.

The PRESIDENT pro tempore. The Senator from Kansas.

Mr. CURTIS. I yield to the Senator from Pennsylvania.

Mr. REED of Pennsylvania. I move that the Senate proceed to the consideration of Senate bill 2370, to amend section 24 of the immigration act of 1917.

Mr. LA FOLLETTE. Mr. President—

Mr. REED of Pennsylvania. I may say that I do not think it would take half an hour to finish the consideration of the bill, and it would not interfere with the action proposed by the Senator from South Dakota [Mr. NORBECK].

Mr. LA FOLLETTE. Mr. President, the senior Senator from South Dakota [Mr. NORBECK] a few minutes ago asked unanimous consent to make the so-called migratory bird bill the unfinished business, which was objected to; and he made the statement that in view of the fact that there were so few Senators in the Chamber he would withhold a motion to take the bill up until to-morrow. If the Senator from Pennsylvania insists upon his motion, I shall be constrained to suggest the absence of a quorum.

Mr. DILL. Mr. President, I may say to the Senator that the consideration of the migratory bird bill is very likely to take a great deal more time than the consideration of this immigration bill, and I believe we would make time in the Senate by taking up the immigration bill and passing it.

The PRESIDENT pro tempore. The question is on agreeing to the motion proposed by the Senator from Pennsylvania.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. The question is on agreeing to the motion proposed by the Senator from Kansas.

Mr. REED of Pennsylvania. May we consider my motion pending when we meet to-morrow?

Mr. LA FOLLETTE. If the Senator from Pennsylvania does not desire to withdraw his motion, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Kansas has moved to proceed to the consideration of executive business, and the question is on agreeing to that motion.

EXECUTIVE SESSION

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and the Senate (at 5 o'clock p. m.) adjourned until to-morrow, Tuesday, February 7, 1928, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 6, 1928

MEMBER UNITED STATES CUSTOMS COURT

William J. Tilson, of Georgia, to be a member of the United States Customs Court, vice William B. Howell, deceased.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

Lieut. Hugh St. Clare Sease to be a lieutenant commander in the Navy, from the 1st day of November, 1927.

Lieut. (Junior Grade) Charles P. Woodson to be a lieutenant in the Navy from the 2d day of June, 1927.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1927:

Thomas U. Sisson.	Homer B. Wheeler.
Walter W. Siegrist.	Walter D. Leach, jr.
William E. Verge.	Joseph F. Dahlgren.

Passed Assist. Surg. Norman J. Haverly to be a surgeon in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1926.

Assist. Surg. Clifton A. Young to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 2d day of June, 1927.

Assist. Surg. Walter G. Kilbury to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 1st day of July, 1927.

Walter P. Caruthers, a citizen of California, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 26th day of January, 1928.

Boatswain Harold L. Arnold to be a chief boatswain in the Navy, to rank with but after ensign, from the 5th day of August, 1927.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 6, 1928

REGISTER OF LAND OFFICE

Guy Francis Barnes to be register of the land office at Pierre, S. Dak.

PROMOTIONS IN THE ARMY

To be colonel

Stephen Ogden Fuqua.

To be lieutenant colonel

Charles Russell Alley.

To be major

William Francis Freehoff.

To be captains

Richard Brownley Gayle.

Jesse Benjamin Smith.

To be first lieutenants

George Francis Heaney, jr.

John Humphrey Evans.

APPOINTMENT BY TRANSFER IN THE ARMY

Harry Russell Evans, to be captain, Field Artillery.

PROMOTIONS IN THE ARMY

Stanley William Matthews to be captain, Medical Corps.

William Harvey Kernan to be captain, Medical Administrative Corps.

Martin Douglas Mims to be captain, Medical Administrative Corps.

PROMOTION BY TRANSFER IN THE ARMY

Edward Clarence Gere to be captain, Quartermaster Corps.

APPOINTMENT BY PROMOTION IN THE ARMY

To be colonel

Daniel Van Voorhis.

To be lieutenant colonels

James Garfield McIlroy.
Vaughn Washington Cooper.
Chauncey Lee Fenton.

To be majors

Rexford Edwin Willoughby.
William Glenn Livesay.
James Washington Barnett.
John Charles Mullenix.

To be captains

Robert Tappan Chaplin.
Raymond Edwin Vermette.
Abraham Robert Ginsburgh.
Elijah Garrett Arnold.
Benjamin Witwer Pelton.
Farlow Burt.

To be first lieutenants

William Remsburg Grove, jr.
George Lewis Dewey.
James Frederick Torrence, jr.
Douglass Gordon Pamplin.
Dan Chandler.
Charles White Lawrence.
George Edward Waldo.
Harold Willis Kohl to be captain, Medical Corps.
Benjamin Ralph Luscomb to be captain, Medical Administrative Corps.

POSTMASTERS

KENTUCKY

Achsa Kinnett, Augusta.
Ransome B. Martin, Hartford.
Edward F. Davis, Williamsburg.

MISSOURI

Beryl S. Littrell, Mendon.
William H. Tanner, Sikeston.

NEW JERSEY

Ralph H. Hulick, Browns Mills.
Waldo E. Rice, Ocean Grove.
Herman H. Ahlers, West New York.

NORTH CAROLINA

Andrew T. Barkley, North Charlotte.

OHIO

Howard M. Snedeker, Bellaire.
Lillian Mumca, Independence.
James A. Downs, Scio.

OKLAHOMA

Hugh M. Tilton, Anadarko.
Thomas G. Rawdon, Paden.
William E. Watson, Quinton.

PENNSYLVANIA

Will O. Depp, Big Run.
John B. Chase, Greenville.
Benjamin F. Jenkins, Jeannette.
Clinton B. White, New Wilmington.
William A. Bailey, Southwest.
John G. McCune, West Newton.

HOUSE OF REPRESENTATIVES

MONDAY, February 6, 1928

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our most gracious Father in Heaven, in whom we have our being, do Thou inspire all that is best and noblest in us. With wise determination help us to measure up to the lofty principles and ideals of Thy teaching. Take us this day into Thy divine favor, that this representative body of a great people may have big vision and the finest sense of justice. Every endeavor that is destined to succeed is founded on the broad principles of the fatherhood of God and the brotherhood of man. We are here again to work, to touch common toil and to dignify it, to sanctify the homely things of life. Establish Thou the work of our hands. Light up the altar stairs of our souls and give us the blessing of the white hope. Amen.

The Journal of the proceedings of Friday, February 3, 1928, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments the bill H. R. 9481, entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1929, and for other purposes," in which the concurrence of the House of Representatives was requested.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that on February 4, 1928, they presented to the President of the United States for his approval bills and a joint resolution of the House of the following titles:

H. R. 5657. An act granting the consent of Congress to the board of supervisors of Monroe County, Miss., to construct, maintain, and operate a bridge across Tombigbee River at or near Aberdeen, Monroe County, Miss.;

H. R. 9142. An act to amend section 71 of the Judicial Code, as amended, by changing time of holding court at El Dorado and Harrison, Ark.; and

H. J. Res. 93. Joint resolution for the appointment of Paul E. Divine, of Tennessee, as member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, announced that they had examined and found truly enrolled a joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 112. An act to amend the act of May 29, 1884, as amended, the act of February 2, 1903, and the act of March 3, 1905, as amended, to include poultry within their provisions.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speakers' table the bill (H. R. 9481) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1929, and for other purposes, and disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table House bill 9481, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed the following conferees: Messrs. Wood, Wason, and Cullen.

BRIDGE LEGISLATION

Mr. GARRETT of Tennessee. Mr. Speaker, to-day is unanimous-consent day and there are a number of bridge bills on the calendar. The gentleman from Missouri [Mr. COCHRAN] has some remarks which will apply to practically all of these bills, I think, and I believe it would be in the interest of the expedition of the public business if the gentleman be permitted to address the House at this time, and I ask unanimous consent that the gentleman from Missouri may proceed for 15 minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the gentleman from Missouri may proceed for 15 minutes. Is there objection?

Mr. TILSON. Mr. Speaker, I shall not object, but I should like to request that the gentleman from Illinois [Mr. DENISON], the member of the Committee on Interstate and Foreign Commerce, who has charge of bridge bills, may have 15 minutes in which to explain the same subject on which the gentleman from Missouri is to speak.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that following the address of the gentleman from Missouri the gentleman from Illinois [Mr. DENISON] may be permitted to proceed for 15 minutes on the same subject. Is there objection?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, ladies and gentlemen of the House, I request that I be not interrupted until I have completed my statement, as I shall decline to yield.

Mr. Speaker, at the outset I desire to make it plain to the membership of the House as well as all others interested that I am one who looks upon every man as being honest until proven otherwise. The mere wagging of tongues is not sufficient to make me condemn a man.

On Friday, before the House adjourned, I called the attention of Members present to editorials published in the St. Louis Post-Dispatch and St. Louis Star under date of January 28. One editorial conveyed information that holding companies for public utilities were not under the control of either the Missouri Public Utilities Commission or the department administer-

ing our blue sky law. I also stated at the time that unless I was convinced by to-day that the people of my city were protected from the sale of securities issued in connection with projects to build toll bridges I would object to a unanimous consent for consideration of bridge bills where the right to construct, and so forth, is vested in an individual or corporation.

Only last summer several constituents of mine came to my office and asked my advice in reference to some bonds they had purchased of a corporation in an Ohio city. This corporation announced its intentions of constructing apartment houses, and the bonds were to pay 7 or 8 per cent interest. The corporation had been put in the hands of a receiver, and the court had issued an order that all bondholders turn over to the receiver within a certain time their bonds and stock to a new holding company, which would issue bonds in lieu thereof. I communicated with the county clerk, secured a copy of the order and other information, and I am convinced, as the assets of the company are vacant lots, \$35,000 was lost by my constituents.

The people of St. Louis to-day buy bonds for projects, including bridges, all over the United States. I am interested in the purchasers of such securities, especially in bridge bonds. The gentleman from Illinois [Mr. DENISON] discussed this matter with me Saturday, going over the blue sky law of my State, and he was of the opinion that the people of my State were protected under this law. He also explained to me when a public utility is not a public utility, and that is when it is a toll bridge, unless by an act of the legislature it is specifically declared to be a public utility. He had about convinced me that if our State officials administered the law the people of Missouri could not suffer from inflation. I sent several telegrams to Missouri, and just before coming to the House received a message which convinces me that the issue of bonds and other securities in connection with bridge projects in my State are not all under the supervision of the officials administering the blue sky law. The gentleman who furnishes me with this information is a man of the highest character, and I will read what he says. He is referring to a bridge project in Missouri.

I might say I know personally the gentleman who received the consent of Congress to construct this bridge. They are all men of the highest character and they are not promoters. They are engineers and contractors and have been in business for many, many years.

The bond issue was not subject to approval of any State but was sold through Byllesby Co., of Chicago, who passed on costs and other matters through their engineers. Byllesby listed bonds on Chicago Stock Exchange, which also had its requirements before listing is permitted. I believe most State blue sky laws do not require direct application where stock or bond issue is listed on licensed exchange. Understand Byllesby recently announced they would not handle any more bridge issues, and I am requesting a friend to have them communicate with you. The opinion here is that you have touched on a very big question, and you are right in saying there are possibilities of serious losses. The only protection now seems to be the responsibility of the investment house putting out the issue.

Mr. Speaker, I do not want to object to legislation in which so many Members are interested, but I am not convinced that the people of the country have sufficient protection, and therefore I will offer an amendment along the line I suggested in my speech of Friday.

The amendment I suggested is as follows:

At the close of section 7 insert the following: "Provided, That bonds or other securities issued against, or based on, the construction and revenues of said bridge and approaches shall not exceed the actual cost of such construction and operation, economically made, plus a maximum of 10 per cent thereto; and it shall be the duty of the Secretary of War, prior to the issue of any such bonds or other securities, to determine the total thereof which may thus be issued."

Mr. Speaker, I am not in favor of leaving this question entirely to the States. If the Congress has the right, which it unquestionably has, to grant consent for the construction of a bridge, it likewise has the right not only to limit the cost of such structure but also to limit the amount of securities that might be issued. The bridge can not be constructed until the Secretary of War approves the plans and specifications.

The bills now provide that sworn statements in reference to cost of construction, and so forth, shall be filed with the Secretary of War within 90 days after completion, and that the Secretary of War, if requested within a given period, shall determine the actual cost thereof and that the findings of the Secretary shall be conclusive for the purposes mentioned in section 4, which refers to the purchase of the bridge. The section protects the city, county, or State which might desire to acquire

the property, but where does the purchaser of the securities come in? If bonds or other securities in excess of that amount have been issued, the public—your constituents and mine, the purchasers of these securities—is the loser, as is generally the case.

My amendment will not only further protect the cities, counties, and States but it will also protect the general public from inflation. If the bridge does not result in a paying proposition, that is entirely another matter. It is up to the public before purchasing securities to investigate, and if the people put their money in a nonpaying proposition, we can not be blamed.

We have a responsibility as well as the State officials, because it is the Congress that makes the project possible.

Bonds and other securities for the building of bridges can unquestionably be placed under control of the Government, and such action would be a check on the officials of the various States who administer the blue sky laws.

I simply ask that the Congress grant all the protection it possibly can to the purchaser of the securities issued in connection with a project it sanctions.

Surely, no honest promoter should object to a 10 per cent profit over the actual investment. If he does, he is not entitled to the consent of Congress to construct a bridge.

Your constituents and mine have the right to hold us responsible in the event such securities as I have mentioned are found to be inflated.

In conclusion I simply want to suggest that when the bridge bills are considered to-day they be separated. I will not offer my amendment where the right is vested in a city, county, or any agency of a State.

Mr. HASTINGS. Will the gentleman yield?

Mr. COCHRAN of Missouri. Yes.

Mr. HASTINGS. I understood the gentleman to give one illustration of a corporation that built apartment houses. Where bridges have been built can the gentleman give instances in which people have been imposed upon, as suggested in the gentleman's remarks?

Mr. COCHRAN of Missouri. I am not in the habit of repeating any hearsay information I receive. I have no direct knowledge that I would be warranted in calling to the gentleman's attention. Before I would call a matter of that kind to the gentleman's attention I would want positive knowledge.

Mr. HASTINGS. I do not ask the gentleman to give the names of the particular bridges, but I thought the gentleman would have some information where this legislation had been greatly abused in a great number of cases and, therefore, the necessity of some sort of an amendment as suggested by the gentleman.

Mr. COCHRAN of Missouri. I admit I have information, but I will not repeat it on the floor, because I do not want to cast any reflection on any gentlemen, where I am not absolutely positive abuses have occurred.

Mr. HASTINGS. Is the gentleman willing to state that this kind of legislation has resulted in a great many abuses or is it confined to one or two particular cases?

Mr. COCHRAN of Missouri. The possibility of abuses is apparent.

Mr. HASTINGS. I am not talking about the possibilities.

Mr. COCHRAN of Missouri. And that is what I am trying to guard against. I want to close the doors of the stable before the horse is gone.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. COCHRAN of Missouri. Yes.

Mr. VINSON of Kentucky. Does the amendment which the gentleman has suggested include bridges that are wholly within a State?

Mr. COCHRAN of Missouri. It includes any bridge, whether it be within a State or whether it connects two States, if the consent of Congress is given to an individual or a corporation other than a railroad, because I understand a railroad bridge is under the control of the Interstate Commerce Commission, and I am satisfied with that.

Mr. DENISON. Mr. Speaker, I think I can make a short statement that will clear up the question raised by the gentleman from Missouri [Mr. COCHRAN]. The gentleman from Missouri is entirely mistaken in his attitude, and while I recognize, of course, the perfect right of every Member of the House to raise an objection to any bill on the Consent Calendar, and never criticize anybody for doing so if he has a good reason for it, yet I hope my friend from Missouri will not persist in his attitude. These bridge bills are of great importance to the communities in which they are to be built, and to the Members of Congress who introduce them, and unless a Member has a valid and a forceful reason I do not think he ought to insist upon an objection to their consideration.

Let me state briefly what we do in connection with these bills. I am speaking now of bills authorizing private companies or individuals to build bridges over navigable waters. In the first place, we see to it in the forms we have prepared that the interests of the Government are protected, so far as navigation is concerned. Then we have also provided for the protection of the public that use the bridge by providing the right of recapture in case the public wants to take the bridge over for the purpose of operating it as a free bridge.

We provide that the builder has to make a sworn itemized statement of the costs, after he has completed the bridge, and file it with the Secretary of War and with the highway department of the State in which the bridge is located. Then we authorize the Secretary of War to make an investigation of that statement and of the costs of the bridge, if he wishes to do so; and we provide that he shall do so if the highway department of the State in which it is located asks him to do so. He is authorized to make this investigation of the cost and to find the actual cost of the bridge.

Not only this, but we authorize the Secretary of War to find what is the reasonable cost or the value of the bridge, and without regard to what the parties spend; it is the reasonable value of the bridge that determines its value for recapture purposes. So that there is no possibility of any person who may be disposed to be dishonest and improperly pad their statement of costs to do so, because it is all subject to investigation; and however they might pad the statement we authorize the fixing of a reasonable value and we authorize the State to take over the bridge upon that basis at any time in accordance with the terms specified in the law.

My friend the gentleman from Missouri [Mr. COCHRAN], because some of his friends have lost money in buying bonds on some apartment house in some part of the country, now proposes to offer an amendment to these bridge bills. For what purpose? To protect the persons who may buy stocks or bonds in a bridge from dishonest transactions. In other words, he wants us to modify these bridge bills so as to make each one of them a blue sky bill at the same time.

Gentlemen, we can not do this. In the first place, the regulation of these matters within the States is a matter for the States themselves and every State of the Union, except two, has enacted what is called a blue sky law or a fraudulent securities law. The State of Missouri has one of the very best laws of this kind. The State of Illinois has a good one, as well as Kentucky, Arkansas, Pennsylvania, and other States. They have enacted blue sky laws, or fraudulent securities laws to protect their people against the sale of fraudulent stocks and securities.

The State of Missouri has a blue sky law which provides in section 3, which I want to quote, as follows:

No person, either acting personally or through an agent, or as the agent of another, shall, on or after the date when this act goes into effect, sell any security to any person in the State of Missouri contrary to the provisions of this act.

Now, section 7 of the act provides:

No security not exempted under any of the provisions of section 4, unless sold in any transaction exempt under the provisions of section 5, shall be sold to any person within the State of Missouri unless and until the issue of securities, of which such security to be so sold is a part, shall have been recorded in the register of qualified securities, as hereinafter provided.

So that any person offering any kind of security, that is not exempt under the law, for sale in the State of Missouri must go to the State officials and have it registered, submit to an examination, have an inquiry made as to its good faith and as to the amount of money that has been put into it, and have it thoroughly and carefully qualified before it can be sold, and if they sell it without doing this they are liable to be sent to the penitentiary.

Bridge bonds or bridge stock is not exempted under the laws of the State of Missouri. The bonds or securities of public utilities are exempted under the law of the State of Missouri just as they are in most other States that have blue sky laws. Why? Because if it is a public utility it is regulated by the public utility commission of the State; that commission regulates the issuance of such securities and therefore, in order to avoid duplication of services, the blue sky law exempts the securities of public utilities. But if it is not a public utility, and therefore not regulated by the public utility commission of the State, it is subject to the blue sky law of the State and the people are protected. So that the constituents of my friend from Missouri are fully protected against any fraudulent sale of stock or bonds in Missouri on bridges built in that State.

Mr. BANKHEAD. Will the gentleman yield for a brief question?

Mr. DENISON. Yes.

Mr. BANKHEAD. I assume from the gentleman's argument that a bridge is not classed as a public utility?

Mr. DENISON. It is not. It is in some States; for instance, in Pennsylvania, but in that State where it is so classified it is regulated as a public utility, just like a telephone company, gas company, or an intrastate railroad, and its securities are subject to regulation by that commission.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. COCHRAN of Missouri. In reference to the statement made just a moment ago with regard to public utilities, that is exactly what caused me to investigate this matter. The editorial to which I have referred stated that the officials of the Public Utilities Commission of Missouri and the officials who administer the blue sky law had said that they have no control over a holding company for a public utility.

Now, would the holding company be the company that would handle the bonds? Further, I will say to the gentleman the information I read to the House concerning the issue of bonds in connection with a project comes directly from one of the men to whom you granted the consent of Congress to build the bridge. That proves to me beyond a doubt that the State of Missouri, if it has the power, is not doing what it should do in reference to the bonds.

Mr. DENISON. I think I know what the gentleman means. I do not know anything about the particular case, but I understand what he is trying to get at. While I stated that practically every State has a good blue sky law sufficient to protect its own people from the sale of fraudulent securities, the Federal Government has never yet enacted a national blue sky law. Therefore there is no law to prevent the sending through the mails from one State to another of fraudulent securities for sale. That is one instance where we can not have exact justice, because there is no Federal securities law. I have had a bill pending in Congress for five years to provide such a law. It passed the House once, but did not get through the Senate.

I have studied that matter as much, I think, as any man in the House, and I have never heard that any money has been lost through the sale of fraudulent stocks or bonds for building bridges. There have been losses through the sale of fraudulent oil stocks, through the sale of fraudulent mining stock, through the sale of fraudulent stocks of other kinds, but I have never heard of any loss through the sale of bridge bonds. Why my friend picks out this more or less innocent form of investment and omits from his consideration other stocks and bonds I do not know.

At any rate, we can not make blue sky bills out of bridge bills. We have gone as far as we can go in a practical manner. Not only that, but neither the Chief of Engineers or the Secretary of War have any facilities for the examination of stocks and bonds issued for building bridges all over the United States. If we should confer that authority on the Secretary of War, we would have to increase his clerical and official force several hundred, and we would have to grant jurisdiction to the War Department over such securities, which his department has no business with. Until we can get to the point where Congress is willing to pass a national blue sky law we will have to depend on the States to protect the people from fraudulent bridge bonds, if any such should ever be offered for sale.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. DENISON. I will.

Mr. COCHRAN of Missouri. I concede everything the gentleman has said in reference to the manner in which the committee protects the cities, counties, and States, but I think the gentleman is inconsistent. He says that if we confer this authority on the Secretary of War, he has no method of examining stocks and bonds. I am not asking that. You tell the Secretary of War that he must, after the completion of the bridge, if the request is made, put a reasonable value on the project. If you are going to compel the Secretary of War to do that after the bridge is completed, would it not be just as easy to compel the Secretary of War to do it before the drafting of the plans and specifications?

Mr. DENISON. He has no facilities for exercising that power; he has no such jurisdiction. He says that it is a matter about which they have no information; that they have no facilities for examining stocks and bonds with a view to protecting the public. That is a matter that the States must attend to.

Mr. LOZIER. Will the gentleman yield?

Mr. DENISON. I will.

Mr. LOZIER. Is it not true that under the stereotyped form of bridge bills the interest of the investing public is pro-

tected when the Secretary of War makes an affirmative finding as to the cost of the structure? When the bond issue is floated has not the investor an opportunity of ascertaining from the War Department the cost of the bridge—not only the actual cost as reported by the projectors of the bridge, but the making of the affirmative finding of the costs? Has not the investor access to that information?

Mr. DENISON. We have gone as far as we can practically go in protecting the public, and the bridge bill forms as now used will protect the public.

Mr. COCHRAN of Missouri. I will ask the gentleman what good would it be to the investor to find out after the bridge is completed the bond issue has been inflated? Here is a bridge that cost a million dollars, and securities are issued for a million and a half. After the bridge is built they call on the Secretary of War to determine the value, and the Secretary determines that \$1,000,000 is a fair value for the bridge. Securities are issued for a million and a half—who is going to pay the inflated half million dollars?

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for three minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, I want to point out, if I can, the unfortunate situation in which my friend from Missouri [Mr. COCHRAN] is involved. He has picked out one form of investment, and he asks Congress in these bridge bills to protect the public, and let all other forms of investment go. I have not heard him undertaking to protect the public against other forms of investment, and there are thousands of different forms of investment. He comes here and wants to stop the progress of bridge building, as far as he can do it, because he fancies that possibly somewhere somebody may lose some money in investing in bridge securities. It seems to me that his position is entirely untenable, and I hope the gentleman will not place himself in that attitude.

If my friend from Missouri will join with me and help me get a Federal blue sky bill through Congress that will prevent the sale, through the avenues of interstate commerce, of any fraudulent securities, he will render the public a valuable service, not only in his State and in his city, but in the entire Nation.

Mr. COCHRAN of Missouri. If the gentleman will read my speech of last Friday, he will see that I did say that I would join him in such an effort.

Mr. DENISON. Until we do that, I think the gentleman is making a mistake in standing in the way of progress and preventing or delaying the construction of bridges.

Mr. VINSON of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. VINSON of Kentucky. I suggest to the gentleman that the recapture clause in these bills will not only minimize but probably eliminate the issue of a large amount of watered stock, because under the recapture clause when a State or a county or a municipality takes over the bridge, an investor is not going to put his money into a bridge in which the aggregate amount of security is largely in excess of the actual cost of construction.

Mr. DENISON. Certainly not, if he is intelligent; and we must assume that the average man has average intelligence, and he is not going to put his money into that kind of investment if the bridge is built under the terms we now require.

Mr. COMBS. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. COMBS. I believe that the assumption of my colleague from Missouri [Mr. COCHRAN] is that the blue-sky commissions have no jurisdiction over a holding company.

Mr. DENISON. In that, of course, he is wrong.

Mr. COMBS. It may be that they have no jurisdiction over the activities of holding companies in other States; but if those securities are offered for sale in other States, they must comply with the requirements of the finance commission in order to qualify for sale in those States, and likewise, a holding company organized in another State, offering these securities in the State of Missouri, must get the securities qualified under our laws before they are exempt from the operation of this particular act.

Mr. DENISON. That is true.

Mr. COMBS. In other words, we are protected.

Mr. DENISON. You are fully protected. The statement that stocks or securities of holding companies are exempted is entirely misleading. They are not exempted unless the securities they hold, and against which they are issuing their bonds,

are either exempted under the law or are qualified under the law.

Let me make this final statement. I have made a study of the blue sky laws of every State, and every State has such a law except the States of Delaware and Nevada, I believe. These laws go a long way toward protecting the citizens against the sale of fraudulent securities. I am one of those who believe that we ought to leave such matters to the States to protect their own citizens. If they do not protect their own citizens, that is their fault and it is not the fault of the Federal Government. I do think that we ought to go as far as we can and help the States enforce their laws; but when we undertake to pass an interstate fraudulent security law we ought to apply it to all kinds of securities. We can not do any good by attaching an amendment to a bridge bill.

Mr. MOORE of Virginia. Does not the gentleman think, if we are going to adopt a policy of that sort, that we ought to include all sorts of securities, including securities based on foreign loans as well as securities based on the present tremendously desirable work of constructing bridges in this country?

Mr. DENISON. Yes; the gentleman from Virginia is right about that.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask the particular attention of my friend from Missouri [Mr. COCHRAN] to a suggestion that I wish to offer. Some of these bridge bills are in the nature of emergency measures and should be passed at once if at all. The gentleman from Missouri has his idea upon this subject, and he is to be commended for his desire to protect the public interest. I do not agree with him that the serious situation is presented as regards bridge bonds that he thinks is presented; but, however that may be, I am wondering if the gentleman will not, when we reach these bills, be willing to let them be considered and offer his amendment and let the House pass upon that amendment. It seems to me that the gentleman might very well consider doing that.

Mr. COCHRAN of Missouri. Mr. Speaker, I would be perfectly willing to offer my amendment, and I suggest to the gentleman from Illinois [Mr. DENISON] that he call up one of the bills, and if that is voted down in the House, I shall then offer a motion to recommit and endeavor to get a vote of the House upon the question. With that I shall be satisfied. I am still convinced that the gentleman from Illinois [Mr. DENISON] has not covered my point, and that is that you provide protection for the city, county, and State after the bridge is built when it comes to the question of purchase, but you provide no protection for the man who makes it possible to build that bridge by buying the bonds of the promoters. I am perfectly willing to offer the amendment, but I will insist on a record vote and I will be entitled to that unless a quorum is present.

Mr. GARRETT of Tennessee. If the gentleman will permit, I suggest that he can do it on the first bill. If the gentleman will permit it to be considered in the regular way, of course he will have an opportunity to offer a motion to recommit.

The SPEAKER. The Clerk will call the Consent Calendar.

TRANSFER OF THE OKANOGAN PROJECT, WASHINGTON

The first business on the Consent Calendar was the bill (S. 1661) to authorize the Secretary of the Interior to transfer the Okanogan project, in the State of Washington, to the Okanogan irrigation district upon payment of charges stated.

The title of the bill was read.

The SPEAKER. This bill requires three objections.

Mr. CRAMTON. I object.

Mr. BLANTON. I object.

Mr. LAGUARDIA. I object.

The SPEAKER. Three objections. The Clerk will call the next bill.

ABANDONED MILITARY RESERVATIONS IN ALASKA

The next business on the Consent Calendar was the bill (H. R. 9031) to provide further for the disposal of abandoned military reservations in the Territory of Alaska, including Signal Corps stations and rights of way.

The title of the bill was read.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. LAGUARDIA. I object.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Oregon asks unanimous consent that this bill be passed over without prejudice.

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object—and I shall not object in this particular case—but I want to refer to the situation in regard to these cases which are passed over without prejudice. The first bill presented a question relating to that matter. It seems to me that passing over a bill without prejudice can only be done and should only be done in a case like the one pending, where the request is made before objection has been made to the consideration of the bill. After objection is made to the consideration of the bill it seems to me the rule operates to take the bill off the calendar.

Mr. LAGUARDIA. It is customary, when objection is made and a gentleman is asked to withdraw his objection, and he withdraws his objection, to pass over the bill without prejudice, but if that should occur after objection is made that will take place.

Mr. CHINDBLOM. If the objecting Member states that he does not object to the request, that it be passed over without prejudice it might be all right; but that can not be the case when the order is changed when the objecting Member is absent.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

Mr. LAGUARDIA. I withdraw my objection.

The SPEAKER. The objection is withdrawn. The Clerk will call the next bill.

JURISDICTION OVER OIL AND GAS LEASES

The next business on the Consent Calendar was the bill (S. 1959) to transfer to the Secretary of the Navy jurisdiction over oil and gas leases issued by the Secretary of the Interior on lands in naval petroleum reserves.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Last week I objected to this bill on the ground that several Members were in doubt as to the purport of this bill. I think the purpose is this: To transfer the supervision of the oil and gas lands from the Interior Department to the Navy Department, and that leaves the matter in status quo.

Mr. BLANTON. Mr. Speaker, reserving the right to object, the gentleman from New York knows that with respect to a not very far away Secretary of the Navy the Senate of the United States found that he had been guilty of reprehensible conduct concerning naval oil leases and asked that the President dismiss him. The President did not dismiss him, but he resigned. I doubt the advisability of placing this responsibility there in the Navy Department.

Mr. LAGUARDIA. I have conferred with Senator WALSH in the other body, and he advised putting the responsibility there.

Mr. BLANTON. Well, the Senate, including Senator WALSH, condemned this former Secretary of the Navy for handling just such oil-lease business. I object, Mr. Speaker.

The SPEAKER. Objection is heard. The Clerk will call the next bill.

HOSPITAL AT DAYTON SOLDIERS' HOME

The next business on the Consent Calendar was the bill (H. R. 132) authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Dayton, Ohio.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, this is a bill that proposes an expenditure of a million and a half dollars, and there is no report presented to us from any agency of the Government having responsibility in connection with this proposed expenditure. There is nothing here showing that it has ever been brought to the attention of the Budget, or whether or not it is in harmony with the President's financial program. Of course, a hospital is for a purpose that causes us all to sympathize with the expenditure. If the hospital is needed to the extent that the committee report suggests, there should be no difficulty in finding some branch of the Government that would certify to that effect, and I have no reason to believe that there would be difficulty in getting the President, through the Budget Office, to approve of such expenditures. But until that is done it would seem the bill might rest.

Mr. LAGUARDIA. Is not this recommended by the Board of Managers? I understand that hearings were held at that time.

Mr. CRAMTON. At any rate, we ought to have a statement from the board that is responsible for that work.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BLANTON. I understand the gentleman's position is that if such a hospital is needed he is perfectly willing to allow the million and a half dollars to be expended; but until it is properly demonstrated that such a hospital is needed, and the spending of the \$1,500,000 is properly safeguarded, he does not want this bill to come up and be passed in a quarter of a minute. That is the gentleman's position, is it not?

Mr. CRAMTON. The gentleman has stated it correctly.

Mr. BLANTON. That was my position exactly the other day, and yet many papers in the State of Texas reported that I was against a veterans' hospital, when such was not the case.

Mr. ROY G. FITZGERALD. Mr. Speaker, I have continually protested during the seven years that I have been a Member of Congress against the little attention that the Congress has paid to the needs of the National Home for Disabled Volunteer Soldiers.

These homes were put under the control of a board of managers, to be selected by the Congress, at a time when Congress was on the outs with the President of the United States and would not trust him. This is one of the few agencies of our administrative system that is not under the control of the President or some branch of our regular administrative system. Responsibilities were assumed by Congress, but Congress will pay little attention to matters connected with the soldiers' homes. I could not even get Congress to elect the successors of men on that board whose terms had expired for years. I could not get this House to authorize the publication of the reports of the Board of Managers of the Soldiers' Homes, and that has not been done until within the last year or two.

I want to say to this House that the Member from North Carolina and myself inspected this hospital several years ago. We found it to be a fire trap built in 1868, that several hundred helpless men were confined to beds in the hospital, and that 700 major operations were performed in that hospital in a year. Then we brought the inspectors of the fire department and the State inspectors there to find out what the real condition of that hospital was, and they found it a fire trap. That was the reason for the introduction of this bill at the request of the Board of Managers and undoubtedly with knowledge of the President and Director of the Budget.

Mr. CRAMTON. My colleague from Michigan [Mr. JAMES] has shown me letters which indicate the approval of this bill by the Board of Managers. The House was entitled to that information in the report so that we would all have that information. I am willing to accept the showing my colleague has made so far as that part is concerned, but I would like to ask the gentleman from Ohio as to whether he has ever brought this matter to the attention of the Budget Office to learn whether this is in harmony with the President's financial program.

Mr. ROY G. FITZGERALD. It does not make any difference to me whether or not the President or Budget Bureau wants to murder these men in these hospitals or not. I take it for granted it is, for it must be in harmony with any sound financial program. This House has passed this bill twice before.

Mr. CRAMTON. Nothing I have said justifies any outburst. No one assumes the President does want to murder anybody, because I am assuming that if this is needed the gentleman will have no trouble in getting his approval of it, but until that is done, I object.

Mr. JAMES. Will the gentleman yield?

Mr. CRAMTON. I yield to my colleague.

Mr. JAMES. My colleague asks why this letter was not included in the report. The reason for that was that the letter was not written at the time the report was made. During the Christmas vacation I went out and saw this hospital myself. I saw the conditions, and then I had the president of the board write me a letter, and I talked with the president of the board about it to-day.

Mr. CRAMTON. I accept that part of it entirely, and I assume the President and the Budget Office would be entirely agreeable to this if they ever had a chance to consider it. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice in order that it may be submitted to the Budget Office and come up at the next meeting.

Mr. BLANTON. Before the gentleman makes that request, I want to ask the gentleman from Michigan a question, if he will permit. Did not the Military Affairs Committee have its day on Calendar Wednesday?

Mr. JAMES. No.

Mr. BLANTON. Well, it has two days, has it not?

Mr. JAMES. In the future; yes.

Mr. BLANTON. It will have its two days now before very long. Why could it not take up this bill in an orderly manner—this million and a half dollar bill—on one of its two Calendar Wednesday days and pass it in about an hour?

Mr. JAMES. This bill passed the House at the last Congress by unanimous consent, but died in the Senate because of the filibuster.

Mr. BEGG. Mr. Speaker, I would like to reserve the right to object in order to make an observation with reference to this national military home. My colleague from Dayton has stated the conditions exactly. Because the institution is under congressional management instead of the executive, naturally they are not in a position to make recommendations. All of us who have visited that home and then visited the rest of the homes or hospitals can not come away without believing that certainly some improvement is needed at this particular home.

Mr. CRAMTON. Will the gentleman yield?

Mr. BEGG. In just one minute; and then I will be glad to yield. I regret very much that this can not be passed. There may never be a fire at this home, but if a fire should occur there every one of us would regret it to our last day. I would like to see it get through the House. It may be a little difficult to get it through the Senate; I do not know; but if we can get it through the House there is the chance that it would get through the Senate. What is being asked here is only in line with everything we have done for the soldiers.

Mr. CRAMTON. The gentleman knows if we are going to have a Budget system that amounts to anything, items of one million and a half dollars can not be rushed through here without the Budget having a chance to express itself with reference to them.

Mr. BEGG. I grant that, and I very seldom try to break down the Budget recommendations, although I have once or twice successfully; but no single individual office like the Budget Office can have first-hand information about every little detail there is in the country like a hospital, particularly when we have arrogated to ourselves the right to run such hospitals.

Mr. CRAMTON. I will say to the gentleman from Ohio I am not one to always follow absolutely the recommendations of the Budget, but I think it is necessary to give the Budget a chance to present to Congress its views, and in this case there has been no attempt, apparently, to get an expression from the Budget, an expression that the gentleman from Ohio [Mr. ROY G. FITZGERALD] could have gotten in two days' time if he asked for it, I assume.

Mr. BEGG. I can not speak for my colleague as to why he did or why he did not do anything of that kind. The only thing I can speak about from first-hand information is that having visited this hospital I know it is a fire trap and there will be a calamity if a fire occurs there. That is all I know. I know that to be true.

Mr. BLANTON. Will the gentleman from Ohio yield?

Mr. BEGG. Gladly.

Mr. BLANTON. There is no disposition that I have observed upon the part of any Member here on the floor to prevent a proper hospital from being built, but this bill comes from the Committee on Military Affairs.

Mr. BEGG. And they have O. K'd it.

Mr. BLANTON. That committee will have two days on the calendar and their time is coming pretty soon. That committee could pass this bill in an hour on one of those days.

Mr. BEGG. My answer to the gentleman is that the Military Affairs Committee has plenty to do on those two days and there is not anything inconsistent with the action of this House in the past in doing this by unanimous consent.

Mr. BLANTON. They have nothing more important or more urgent than the building of proper hospital facilities.

Mr. BEGG. They have plenty of other things just as important to consume the time they have here.

Mr. BULWINKLE. Will the gentleman from Ohio yield?

Mr. BEGG. Gladly.

Mr. BULWINKLE. Mr. Speaker, I want to say that some years ago the gentleman from Ohio [Mr. ROY G. FITZGERALD] and I visited this hospital. It is a burning shame and an everlasting disgrace that you would put veterans of the Civil War and veterans of the Spanish War in a building that you know is a fire trap. The building where they handle their surgical cases is a four-story building, and it should either be demolished and the hospital moved somewhere else or if you are going to keep it you should put a building there where these men will be safe. [Applause.]

Mr. BEGG. I thank the gentleman. That is what every man will say who goes there and sees this building.

Mr. RANKIN. Will the gentleman yield?

Mr. BEGG. Yes.

Mr. RANKIN. I want to say to the gentleman from Ohio that this very proposition is up now in the pending hospital bill before the Veterans' Committee. There has been a move-

ment on foot to have the Veterans' Bureau take over these soldiers' homes. Up to the present time that provision has been kept out of the bill by the members on the committee from the Southern States, but the Director of the Veterans' Bureau submitted statistics a few days ago that showed that by 1939 the Civil War inmates of these homes will all have passed away and that sooner or later it will be necessary for the Veterans' Bureau to take the homes over. I have not discussed this matter privately with the chairman of the subcommittee before whom these hearings are being held, but my opinion is that a majority of the members of the Veterans' Committee, and especially of the majority party on the Veterans' Committee, are going to favor turning these homes over to the Veterans' Bureau.

Mr. BEGG. Will the gentleman permit an interruption right there?

Mr. RANKIN. Yes.

Mr. BEGG. Granted that is so, the passage of this bill would not interfere with their ultimately being taken over.

Mr. RANKIN. I understand that, and I am just wondering whether or not the passage of this bill at this time would interfere with the bureau's program of construction?

Mr. BEGG. Not in the least.

Mr. RANKIN. The program is now being worked out by the Veterans' Bureau, and I want to know whether or not the gentleman in charge of this bill has discussed this matter with the Director of the Veterans' Bureau or with those in charge of that legislation?

Mr. BEGG. Let me comment on the gentleman's statement. Suppose the Veterans' Bureau building program did not include a new hospital at the Dayton Soldiers' Home. Let us assume that for the sake of the argument. You would not for a single moment sanction keeping until 1939 several hundred veterans of the Civil War and the Spanish-American War in a building that everybody who visits it will concede is a fire trap?

Mr. BLANTON. Will the gentleman permit an interruption right on that point?

Mr. RANKIN. Yes.

Mr. BLANTON. Why this sudden uneasiness about this matter?

Mr. BEGG. It is not at all sudden.

Mr. BLANTON. For years I have been going by this Soldiers' Home in Dayton, and they seemed to be getting along fine.

Mr. BEGG. We have been after this for at least a couple of years.

Mr. BLANTON. They have not had a fire there yet.

Mr. BEGG. That is true, and we may not have a fire there for 20 years.

Mr. BLANTON. Everything has been going along there smoothly for 15 or 20 years. Why this sudden uneasiness about it?

Mr. BEGG. We may not have one for years, or we may have one there to-morrow night.

Mr. BLANTON. And likewise this Capitol may then have one.

Mr. RANKIN. Let me say to the gentleman from Ohio that if this program goes through for the Veterans' Bureau to take over these soldiers' homes, and they find it is not necessary to rebuild the home at this place, other provisions will be made.

Mr. BEGG. You can not do that. The old Civil War soldiers or the Spanish-American soldiers can not be moved away from Dayton by the Veterans' Bureau or by anybody else. You can not do that.

Mr. BULWINKLE. The gentleman knows that any construction at Dayton is not connected with the Veterans' Bureau, but if he were to take it over he would come here with the same proposition, because he could not discard the whole outfit and have a safe surgical hospital.

Mr. ROY G. FITZGERALD. Mr. Speaker, I ask unanimous consent that this bill may be passed over for a half hour and called up again as soon as the gentleman from Michigan [Mr. CRAWFORD] may confer with the Budget commissioner.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill be passed over for half an hour. Is there objection?

There was no objection.

PERSONAL PHYSICIAN TO THE PRESIDENT

The next business on the Consent Calendar was the bill (H. R. 5658) allowing the rank, pay, and allowances of a colonel, Medical Corps, United States Army, to the medical officer assigned to duty as personal physician to the President.

The Clerk read the title of the bill.

The SPEAKER. This bill takes three objections. Is there objection?

Mr. BLANTON, Mr. LaGUARDIA, and Mr. SOMERS of New York objected.

PERMANENT INTERNATIONAL ASSOCIATION OF ROAD CONGRESSES

The next business on the Consent Calendar was the House joint resolution (H. J. Res. 107) to provide that the United States extend to the Permanent International Association of Road Congresses an invitation to hold the sixth session of the association in the United States, and for the expenses thereof.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLACK of Texas. Reserving the right to object, section 2 of the bill is not drawn in harmony with the bill submitted by the department, and is broader than the section submitted by the department, in that it contains this language, "subsistence or per diem in lieu of subsistence—notwithstanding the provisions of any other act." Of course, the purpose of that is to take these items out of the general limitations of law. If the gentleman will agree to an amendment striking out section 2 and substituting section 2, as submitted by the department, I have no objection.

Mr. LINTHICUM. I shall have no objection to that.

Mr. BLANTON. Mr. Speaker, for the present I object. I think \$25,000 is entirely too large a sum.

Mr. LINTHICUM. Will the gentleman reserve his objection?

Mr. BLANTON. I will.

Mr. LINTHICUM. I have no desire, gentlemen, to take up too much time, but this is a very important bill. It is a bill to have the congress of the Permanent International Association of Road Congresses to come to the United States. Of course, the President has the power to invite the International Congress to the United States, but he has not the power to pay for the expenses of these delegates, printing, and so forth, without authorization from Congress.

Mr. BLANTON. Will the gentleman yield?

Mr. LINTHICUM. I will.

Mr. BLANTON. I doubt whether it will ever be worth a penny to the people of the United States.

Mr. LINTHICUM. I do not think the gentleman is right about that. The congress is composed of men from all over the world. The gentleman from Texas knows that the great bulk of automobiles is owned in the United States. Out of the 32,000,000 automobiles 27,000,000 are owned in the United States. If you want to create a larger market for automobiles and for road material, you will have to create it in other countries also.

Mr. BLANTON. That is the keynote of the whole proposition—it is to help get more markets for the manufacturers in this country. It is to make the Government pay for their advertising.

Mr. LaGUARDIA. I think all international congresses are a good thing.

Mr. LINTHICUM. It is the intention to bring this congress to the United States, and when it is here, after the deliberations of the convention, it is the purpose of the committee to take those interested in automobiles, road building, and other industries on a visit through the United States. It is proposed to take 300 through the country to see what we are doing.

Mr. BLANTON. Oh, they all know what we are doing, and we know what they are doing.

Mr. LOZIER. Will the gentleman yield?

Mr. LINTHICUM. I will.

Mr. LOZIER. Is it not a fact that road building in Europe is in an experimental stage, and might they not make a material contribution to the science of road building, which is a question of vital importance to the American people?

Mr. LINTHICUM. Absolutely, and I would like to give the gentleman some figures on this. The present membership comprises 45 countries, including the United States.

Mr. BLANTON. There were 40 countries represented here three years ago—was the gentleman from Maryland here?

Mr. LINTHICUM. I was. I was not only here, but I was at the one in Paris this summer at my own expense. To go on with these figures, 45 countries, 458 collective bodies, 1,370 private members, of whom 550 are life members. This is a large organization, and is the only organization in existence of this kind. I do not think the gentleman should object. This is recommended by the President and the Secretary of State and by the Budget.

Mr. BLANTON. We are having entirely too many of them, and they are costing the people too much.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

PAN AMERICAN CONFERENCE ON HIGHWAYS

The next business on the Consent Calendar was House joint resolution (H. J. Res. 108) to provide for the expenses of participation by the United States in the Second Pan American Conference on Highways at Rio de Janeiro.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. BLANTON. Mr. Speaker, I object.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

The next business on the Consent Calendar was the bill (H. R. 70) authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, N. Mex., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object.

Mr. CRAMTON. Mr. Speaker, I reserve the right to object.

Mr. LAGUARDIA. Mr. Speaker, I find there is a direct appropriation here of \$100,000. The balance is authorization. Will the gentleman from New Mexico [Mr. MORROW] state the necessity for that, if that is correct?

Mr. CRAMTON. Mr. Speaker, if the gentleman will permit, the language to which the gentleman refers does not actually make the appropriation, although it sounds very much like it. The language in lines 11, 12, 13, and part of 14, on page 2, are not at all essential. I have gone over the matter with the gentleman from New Mexico as to some amendments to the bill, and he has agreed to accept the amendment striking out the lines to which the gentleman refers.

Mr. LAGUARDIA. That is satisfactory to me, and I withdraw the objection.

Mr. MORROW. Mr. Speaker, if there is no objection, then I ask unanimous consent to substitute for this bill the Senate bill 700.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. CRAMTON. Mr. Speaker, there are certain amendments I would like to see made to the bill. Most of them relate rather to the form and the verbiage than to the substance. There is at least one of importance, and that is as to the reimbursable feature, to insure the return of the entire amount expended. I have gone over the matter with the gentleman from New Mexico [Mr. MORROW], and I understand that the amendments that I have in mind are agreeable to him.

Mr. MORROW. Yes.

Mr. CRAMTON. I wonder if it would not be well to have my amendment read for the information of the House. Sometimes after the stage of objection is passed, some Members, not party to the agreement, manifest a sudden interest in the bill. I feel very keenly about the question of the one amendment to which I have referred, and I would not want to let the objection stage pass without being assured that the bill if it passes at all would contain this amendment; and in that, as I understand it, I have the entire sympathy of the gentleman from New Mexico.

Mr. MORROW. Mr. Speaker, I have no objection to the amendments being read. I only desire to substitute the Senate bill for the House bill, to be amended as the gentleman from Michigan suggests.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the amendments he proposes to offer to the bill in case consent is given may be read for the information of the House. Is there objection?

Mr. CRAMTON. Mr. Speaker, I withdraw my request at this time and will let the matter proceed in the ordinary way.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

The SPEAKER. The gentleman from New Mexico asks unanimous consent to substitute Senate bill 700 for the bill now under consideration. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the Senate bill.

Mr. CRAMTON. Mr. Speaker, I offer an amendment in the nature of a substitute for the Senate bill, to strike out all after the enacting clause, which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the proposed amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON to the Senate bill: Strike out all after the enacting clause and insert in lieu thereof the following:

"Be it enacted, etc., That the Secretary of the Interior is hereby authorized to enter into an agreement with the middle Rio Grande conservancy district, a political subdivision of the State of New Mexico, providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands situated within the exterior boundaries of the said middle Rio Grande conservancy district, as provided for by plans prepared for this purpose in pursuance to an act of February 14, 1927 (44 Stat. L. p. 1098). The construction cost of such conservation, irrigation, drainage, and flood-control work apportioned to the Indian lands shall not exceed \$1,593,311, and said sum, or so much thereof as may be required to pay the Indians' share of the cost of the work herein provided for, shall be payable in not less than five installments without interest, which installments shall be paid annually as work progresses: *Provided*, That should at any time it appear to the said Secretary that construction work is not being carried out in accordance with plans approved by him, he shall withhold payment of any sums that may under the agreement be due the conservancy district until such work shall have been done in accordance with the said plans: *Provided further*, That in determining the share of the cost of the works to be apportioned to the Indian lands there shall be taken into consideration only the Indian acreage benefited which shall be definitely determined by said Secretary and such acreage shall include only lands feasibly susceptible of economic irrigation and cultivation and materially benefited by this work; and in no event shall the average per acre cost for the area of Indian lands benefited exceed \$67.50: *Provided further*, That all present water rights now appurtenant to the approximately 8,346 acres of irrigated pueblo lands owned individually or as pueblos under the proposed plans of the district, and all water for the domestic purposes of the Indians and for their stock shall be prior and paramount to any rights of the district or of any property holder therein, which priority so defined shall be recognized and protected in the agreement between the Secretary of the Interior and the said middle Rio Grande conservancy district, and the water rights for the newly reclaimed lands shall be recognized as equal to those of like district lands and be protected from discrimination in the division and use of water, and such water rights, old as well as new, shall not be subject to loss by nonuse or abandonment thereof so long as title to said lands shall remain in the Indians individually or as pueblos or in the United States, and such irrigated area of approximately 8,346 acres shall not be subject by the district or otherwise to any prorata share of the cost of future operation and maintenance or betterment work performed by the district. The share of the cost paid the district on behalf of the Indian lands under the agreement herein authorized, including any sum paid to the district from the funds authorized to be appropriated by the act of February 14, 1927 (44 Stat. L. p. 1098) shall be reimbursed to the United States under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That such reimbursement shall be made only from leases or proceeds from the newly reclaimed pueblo lands, and there is hereby created against such newly reclaimed lands a first lien, which lien shall not be enforced during the period that the title to such lands remains in the pueblos or individual Indian ownership: *Provided further*, That said Secretary of the Interior, through the Commissioner of Indian Affairs, or his duly authorized agent, shall be recognized by said district in all matters pertaining to its operation in the same ratio that the Indian lands bear to the total area of lands within the district, and that the district books and records shall be available at all times for inspection by said representative."

The SPEAKER. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The similar House bill 70 was laid on the table.

THE PUBLIC SCHOOLS IN THE DISTRICT

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to proceed out of order for 10 minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to proceed out of order for 10 minutes. Is there objection?

Mr. BLANTON. We would like to know what it is about.

Mr. SIMMONS. It is about District schools.

Mr. BLANTON. In that connection I want to reserve the right to object. I want to ask the gentleman a question in regard to the District business. We are asked to set aside our public business now to take up District business. I notice that on an appropriation bill the Senate has placed a legislative amendment that would authorize the United States Bureau of

Efficiency to spend part of its time in checking up District business. Is that done with the consent of the gentleman's committee in the House?

Mr. SIMMONS. I am not touching on the Bureau of Efficiency to-day.

Mr. BLANTON. Then I shall not interfere with the gentleman.

The SPEAKER. The gentleman from Nebraska is recognized for 10 minutes.

Mr. SIMMONS. Mr. Speaker and gentlemen of the House, for the last three years I have been a member of the subcommittee of the Committee on Appropriations handling the bill for the District of Columbia. When the bill is coming up for consideration in the committee, and prior to its coming before the House, the newspapers of Washington always carry articles about the condition of the public schools in Washington. On Saturday morning in the Washington Post there was an editorial entitled "Shameful school conditions," that makes such preposterous and absurd statements about the District schools that the subcommittee on the District bill have thought that we should discuss it briefly now rather than wait until that bill comes before the House within the next three weeks.

The parents in the District of Columbia know that the statements made in this editorial are not true. The editorial can have but one purpose, and that to induce Members of Congress who do not, and can not of necessity, study District affairs to reach a conclusion contrary to the facts and to vote contrary to the facts when the bill comes up before the House.

This statement is made in the editorial:

Thousands of children are suffering irreparable wrong by being denied the opportunity to obtain schooling. The law compels parents to send children to school. But Congress fails to provide the schools.

That statement is untrue.

I call your attention to the report of the District Commissioners to Congress, which we have before us now for the fiscal year 1927, page 18.

This report of the school officials, transmitted to Congress by the commissioners, shows that we have to-day 73,212 sittings available in the public schools. That is exclusive of the portables and rented buildings. But, including portable and rented buildings, we have to-day available 75,063 sittings, to take care of a registration of 67,899 children.

The editorial says: "Although there are 67,899 children enrolled in the public schools, there are accommodations for only one-half that number." That statement is untrue. In addition to these figures that I have just given, let me call your attention also to the fact that we are building now under the present appropriation bill in the District of Columbia—that for 1928—65 classrooms for elementary children and high schools to take care of 4,675 additional pupils. The bill that my committee is now considering has before it recommendations that we build 80 schoolrooms for elementary grades and high schools, taking care of a total of 3,450 additional pupils, or, in addition to the present sittings in the District of Columbia, Congress has authorized, or there is pending before the committee, requests for accommodations for 8,125 additional pupils.

Or with present authorizations and present Budget Bureau requests pending before the Committee on Appropriations, we will have 83,188 seats in the District of Columbia to take care of less than 68,000 registered students to-day in the District schools, or deducting portables, 80,337.

The person who wrote that editorial in the Washington Post, if he knows anything about the schools of the District of Columbia, knows that his statement is false.

Children are approaching the high-school age with their primary instruction only half completed.

And that we are running part-time classes in the District of Columbia. There are some part-time classes in the first and second grades, and in the kindergarten we have some part-time classes. We have 10 part-time classes in the schools in the third grade. But, with that exception, beginning with the third grade and running on to completion in the normal schools, there is not a child in the District of Columbia who is compelled to go part time in the schools, and there is not a child in the District of Columbia to-day that is being denied the opportunity to go to school, and there is not a child approaching high-school age without adequate primary instruction due to the failure of Congress to appropriate money for schools. They state that—

In the estimates now pending before Congress there are no items for new school sites, although they are needed in many parts of the District.

That statement is likewise untrue. If the editor of the Washington Post had read the present bill he would have known it, for the present bill carries two items for important and needed sites.

They state that "the five-year building program is \$11,000,000 behind." That statement is likewise untrue. Congress authorized—not required—the expenditure of approximately \$20,000,000 over five years for school buildings and grounds. We have two years of that yet to cover. Several millions will be spent during those two years for schools which must be deducted from the \$11,000,000 of the \$20,000,000 total. Three years have been covered out of the five with appropriations of \$9,250,000. The present bill carries an additional \$2,500,000.

The editorial says:

No complaint is made that the high-school accommodations are inadequate. There is room in the high schools, because a heavy proportion of the primary-school children have failed to obtain sufficient instruction to be ready for high school. These youths, robbed of their right to obtain public-school education, and having reached the age where they are ashamed to remain in classes with little children, are going out into the world poorly equipped for their life work.

That statement is not true.

Doctor Ballou, the superintendent of schools, testified before the committee last year that we had an excess of high-school accommodations, due to the fact that they had overestimated the probable needs for high-school facilities in the District of Columbia. You will find that testimony on page 594 of the hearings of last year.

Doctor Ballou came before the House committee last week and was specifically asked—after calling his attention to the fact that the present Budget carries \$700,000 in the school total for the beautification of the grounds of buildings, for gymnasiums, and auditoriums—whether he would prefer that we change the use of that \$700,000 and spend it for additional classrooms in the District of Columbia. He said no, that he wanted that money spent as the Budget recommended it be spent. Then we asked him, if we could find money some place else in the bill that we could divert to the schools, whether he had any recommendations as to where it should go, and he recommended that the first need in the schools to-day was not for more classrooms to be put in this bill, but that we buy a site in southwest Washington for a junior high school. That it was the most urgent item and that additional buildings were not more urgent. Regarding last year's bill he told us—and you will find this on page 509 of the hearings—that the bill—was the most satisfactory school budget that had yet been presented to Congress.

We had before us this year the representatives of the Citizens' Advisory Council. Doctor Havenner stated:

I want to say the bill passed last year is the best bill, so far as I know, we ever had in all of my civic career.

Then Mr. Hege, speaking likewise for the Citizens' Advisory Council about the bill we are now considering, said:

Now, the school-building program we are satisfied with; you are giving us more classrooms now, this year, under this bill, than we have ever had, and that will help immensely.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to proceed for one additional minute.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. SIMMONS. I give you this, gentlemen, because I know you men are interested in seeing that we maintain an adequate school system in the city of Washington. The editorial to which I have referred is so patently false, so maliciously false, that I deemed it my duty, on the advice of the members of my committee, to call it to the attention of the House. The "shame and disgrace" is that the schools and children of Washington should be libeled as this article libels them.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska have another minute, because I want to ask him a question.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLANTON. There are going to the Washington schools over 3,000 children who live in Virginia and Maryland, and who are not only furnished their tuition but their free textbooks. I notice the gentleman said we have only 68,000 children and he was providing seating arrangements for 83,000. Is he expecting to take in all the balance of the children from Virginia and Maryland who are not now going to school in the District of Columbia?

Mr. SIMMONS. There are at the present time about 2,500 children from Virginia and Maryland in the Washington schools.

If they were removed, the crowded schools, necessitating part-time classes in many instances, would be relieved; but they are not being removed and are being educated at the expense of the District of Columbia.

Mr. BLANTON. There were 3,100 last year, according to the report I have, but they may have been reduced this year to 2,500.

Mr. HOLADAY. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes on the same subject.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I shall not object to the gentleman having 10 minutes, but this is the Consent Calendar and some of us have been doing a great deal of work on it. I ask the Members to take that into consideration, and if other Members ask permission to address the House I shall feel obliged to object.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOLADAY. Mr. Speaker, in line with what the gentleman from Nebraska has just said, I want to call your attention to an editorial appearing in the Washington Herald of Friday, February 3, accompanied by some pictures of school buildings here in the city of Washington. The editorial is headed:

Some pictures that prove Capital City's disgrace.

I shall only read a part of it:

Here are pictures of two schoolhouses, out on the north border of Washington, where the boundary line divides the District of Columbia from Maryland.

One picture shows a four-room, modern, up-to-date, brick, properly heated, correctly lighted school. The other shows the type of one-room frame portable structures of which 75 are in use in the District.

These one-room makeshifts are badly lighted, ill ventilated, insanitary, and heated by old-fashioned stoves near the center of the room. In cold weather the children attending such a school are toasted on one side and develop chilblains on the other.

The two buildings shown in the illustration are only a short distance apart. The two portables in the upper picture are in West Takoma Park, on the District of Columbia side of the line. The fine modern structure in the lower picture is on the Maryland side of the line.

Now, coming back to the point the gentleman from Nebraska mentioned. These editorials are misleading and tell only half of the truth. Let me call your attention to the situation. By the side of those two portables, pictured in this paper, there is to-day a 16-room modern school building.

A short distance across from that 16-room school building is the modern building in Maryland that is pictured here. [Indicating.]

Now, what is the rest of the true picture? On last Friday, the 3d day of February, there came across the line from Maryland, from the district served by this Maryland school, and entered the District of Columbia schools 245 children from Maryland, free of charge. If these 245 children were taken out of the school, then these two portables could be abolished, because the District is furnishing facilities in the 16-room building necessary to take care of all the children from the District of Columbia.

Coming to the point raised by the gentleman from Texas [Mr. BLANTON], there appeared in this morning's Post an editorial saying that Dr. Raymond A. Pearson, president of the University of Maryland, had appeared before a committee of this House and asked the Government to make provision for the payment of tuition of residents of the District of Columbia who are attending the University of Maryland without paying tuition. He said that this is unfair to the State of Maryland, because the District of Columbia and the Federal Government are not contributing to the support of his institution. I agree with his statement that it is unfair. He suggests legislation; and I have introduced this morning a bill which authorizes the District Commissioners to enter into an agreement with the State of Maryland whereby an account can be taken of children from the State of Maryland that are coming into the District of Columbia to school, balanced against the residents of the District who are going to the University of Maryland, computed on a per capita cost of operation, and the balance in whose favor it may be, to be paid in cash.

Mr. BLANTON. Will the gentleman yield?

Mr. HOLADAY. I yield to the gentleman.

Mr. BLANTON. My position is that the District children who go to the University of Maryland ought to pay the university, and the Maryland children who go to the District schools ought to pay the District for it.

Mr. HOLADAY. I agree with the gentleman absolutely, and that is what my bill provides.

Mr. BLANTON. Up to this year there were 3,100 children from Virginia and Maryland who were going to the Washington schools free. Of course, the number has been reduced, as the gentleman from Nebraska has said, to about 2,500 this year.

Mr. HOLADAY. There are to-day 2,582 nonresident pupils in the District of Columbia schools, of whom 57 are paying tuition.

Mr. BLANTON. And last year there were 3,100.

Mr. HOLADAY. Why 57 out of the 2,582 are paying tuition I do not know. Practically all of them come from the States of Maryland and Virginia. All of the 2,582 are from those two States, except there is 1 pupil each from California, Connecticut, Idaho, and Illinois and 2 each from New York, Pennsylvania, and West Virginia.

If the policy which I have proposed is adopted, every portable that is now in use in the city of Washington can be abolished because Congress and the District officials to-day are furnishing suitable accommodations for all of the resident pupils of the District. [Applause.]

Mr. KETCHAM. Will the gentleman yield?

Mr. HOLADAY. I yield.

Mr. KETCHAM. Is the gentleman in position to state whether or not all the portables that are listed here are to be found near the boundary lines and that their erection and use is caused by the fact that these pupils come from the outside or are the portables scattered quite generally over the city?

Mr. HOLADAY. They are not scattered quite generally. I would say that to a large extent they are along the District line, although that is not absolutely true.

Mr. KETCHAM. One further question. Would the gentleman go so far in his bill as to require the children of parents, who live outside of the District and for the most part go out there in order to have certain advantages in cheaper living, to pay tuition if their parents are employed and have their entire business here in the District?

Mr. HOLADAY. I can see no reason why there should be a different situation with reference to the District of Columbia and Maryland and Virginia than exists between Michigan and Indiana or Indiana and Illinois.

Mr. CRAMTON. Will the gentleman yield?

Mr. HOLADAY. I yield.

Mr. CRAMTON. I may say to the gentleman that I have had a bill some three years, I think, before the District Committee, to relieve the District from this unjust burden. I think my experience is likely to be the experience of the gentleman from Illinois with his bill. The chairman of that committee being from Maryland and concerned first with the interests of his district—I think I ought to break the news gently to my friend from Illinois not to expect any sudden action by the District Committee that will be adverse to the district represented by the gentleman from Maryland, Mr. ZIEHLMAN. [Applause.]

Mr. BLANTON. And especially in view of the fact that the associate chairman, the gentleman from Virginia [Mr. MOORE] is likewise interested.

Mr. HOLADAY. I will say to the gentleman from Michigan I had some suspicion of that condition, but the president of the University of Maryland comes here and wants relief. I agree with him. He is right and he should have relief, but at the same time I think we are fair in saying to him, "We will pay you and you pay us and we will strike a balance and wherever a cash payment may be due, let it be paid."

Mr. KETCHAM. Will the gentleman yield again?

Mr. HOLADAY. Yes.

Mr. KETCHAM. Do I understand the gentleman would make no distinction between these young men, for instance, who have come to the age where possibly they may earn a part of their tuition and these little chaps, the children of these people who live on the outside? Their parents, for the most part, are men that are having all they can do to make ends meet now, and yet this great Government that employs them is made a party to this arrangement which the gentleman contemplates in his bill, of taxing these men the amounts necessary to pay this tuition, in addition to the expenses that are already more than they can bear. I must confess that in that regard I am with the chairman of the District Committee, and, more than that, I want to say I shall take great pleasure in joining with others in seeing that these little fellows have their chance.

Mr. HOLADAY. The question of these little fellows' having their chance is not involved.

Mr. KETCHAM. It is.

Mr. HOLADAY. The simple question is whether or not the State of Maryland, collecting its school funds, shall provide adequate school facilities or shall the District of Columbia furnish those facilities. [Applause.]

Mr. CRAMTON. Will the gentleman yield further?

Mr. KETCHAM. Yes.

Mr. CRAMTON. And whether the Government clerk who lives in the District and pays taxes for schools for his children shall, in addition, pay taxes to support schools for the children of other Government clerks who live in Maryland. [Applause.]

Mr. HOLADAY. That is the question.

Mr. KETCHAM. Will the gentleman yield?

Mr. HOLADAY. I will.

Mr. KETCHAM. Referring to the question the gentleman has just raised in responding to my colleague from Michigan, I am here to say that any resident of the District of Columbia pays such a small tax in school matters in contrast with any other municipality of comparable size that it is a matter too small to argue about.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

Mr. MORROW. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the bill recently passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. MORROW. Mr. Speaker, by my motion Senate bill 700 was substituted for House bill 70 and amended. The bill authorizes the Secretary of the Interior to execute an agreement with the middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, N. Mex.

The lands now under irrigation by the Indians, due to the indifferent and ancient method of irrigation pursued for centuries by these Indians, have become water-logged, alkali, and largely nonproductive. A modern method of drainage canals and laterals will reclaim to the Indians this land. It is contemplated that not only their present lands under cultivation will be reclaimed but an additional 15,000 acres of land for the future benefit of the Indians. This land is not irrigated at this time; it has a very low valuation, and is used only for grazing purposes at a small rental per acre. If reclaimed, it should be worth from \$150 to \$200 per acre, and will return a rental each year of from \$7 to \$10 per acre.

It is from the last-mentioned 15,000 acres of Indian land to be reclaimed that the Government will by this bill get its repayment charges for the cost of reclaiming same.

You might as well ask the question, What contention justifies this Government expenditure? Principally to meet the conservancy district in which the city of Albuquerque, the largest city of the State, having a population of 30,000, is located. In this city the Santa Fe Railroad has its largest railroad shop on its main line between Topeka, Kans., and Los Angeles, Calif. This city, in connection with four other towns, the railroad company, and the entire population, formed a conservancy district, and is proposing to bond same to carry forward the proposition of drainage, flood control, and reclamation for the valley, which land is interspersed with the Indian lands of six pueblos.

The valley adjoining Albuquerque and extending a distance of 150 miles from White Rock, on the north, to San Marcial, on the south, and from 1 to 5 miles wide, is the area needing drainage and reclaiming. All conditions are favorable for success; the soil is a sandy loam, and by properly draining same is very productive; all grains and vegetable crops of the north Temperate Zone can be grown here; cultivation was begun in this valley by the Spanish settlers more than 300 years ago, and by the Pueblo Indians for centuries back. This is not new development and cultivation, but there is a need for drainage, flood control, and reclamation to restore the fertility of the land, which has been indifferently irrigated for centuries.

All fruits common to the altitude of the locality can be grown; some 10,000 grapevines are now under production. Alfalfa can be grown to the extent of five crops per year; tobacco is raised, a new variety is now being produced here for insecticide purposes and especially used in dipping cattle and sheep, for which there is a very ready market in the southwest stock country. The plant grown here produces a very great yield per acre, and the whole plant, stalk and leaves, are used for nicotine. Four hundred acres were planted in tobacco this past year; the plant grew to a great height where protected from late frosts and permitted to develop it reached a height of 11½ feet. This tobacco culture yielded gross per acre as high as \$800. The soil, due to the great silt deposit, apparently has the properties for furnishing the elements for this great production. This quality of tobacco offers wonderful opportunities for the growth of the product in this valley. The yield of nicotine from the plant is 13 per cent. The labor for the growth and care of this product is easily had in the valley; this is espe-

cially true of the Indian people, who have a knowledge of irrigation and can readily be trained to the cultivation and care of the tobacco.

This valley, due to its climatic, soil, and irrigation conditions, is destined to become one of the great agricultural and horticultural districts of the western country. The growing season in the valley is from 189 days in the northern end to 198 days in the lower end.

The previous Congress appropriated \$50,000 for the survey of the Indian lands and for the preparation of plans for necessary development in conjunction with the carrying forward of this work within the district. These plans have been approved by the Secretary of the Interior.

The entire lands within the district number 210,000 acres; the area to be reclaimed and drained will be approximately 129,000 acres; the Indian land is approximately 23,000 acres, or about 18 per cent of the entire area.

Of this tract there are some 8,342 acres that the Indians cultivate at this time, and which have been cultivated for a period of years running into the centuries. The new land reclaimed will be 15,000 acres. As stated before, it is from the last-mentioned land that the Government will get its return for the money thus expended in behalf of the Indians. Climate and soil conditions are such in this valley that the land can be readily leased; there is a home market for all products that the valley will raise. The total cost of irrigating, drainage improvements, flood control, and so forth, of the whole area is estimated at \$11,829,000; the Indian share is \$1,593,311.

The total population is 50,000 people. Albuquerque is the largest city, but there are many smaller towns and villages, all within the district, which need this legislation in order that their work for flood control, drainage, and reclamation will go forward. The Indian population is, for the entire six pueblos which intersperse the white lands, some 3,500 people.

Albuquerque seeks to advance its development by assisting this proposed legislation, and in turn it will be assisted by said legislation. The city feels that this effort upon the part of the Government, in assisting with the Indian part of the necessary funds, will be doing a service to the middle Rio Grande Valley; in turn the Government is doing much for the future of these Indians in reclaiming and placing the lands in a position for successful cultivation.

The bill has the approval of the Government; a department survey in the field has been made; expert engineers have reported that the plan is feasible, economical, and of great benefit to the six Indian pueblos. The immediate and urgent necessity for this legislation is the fact that the district is anxious to proceed with the issuance of its bonds, and to proceed at once in carrying out the proposed plans. To do this the Indian lands within the district which will receive the benefits require the passage of this legislation. The district has spent \$300,000 in surveys, testing sites for dams, and so forth, and the Government has contributed its share of \$50,000. The plan proposed by the legislation if thus approved will hasten development.

In the passage of this legislation adequate protection is given to the Indians, both as to priorities and the use of water, with a limitation of costs. It also protects the Indians from losing any lands by the enforcement of any lien to the Government while title to the lands is held in Indian ownership.

The generous effort made on the part of the Government in backing the legislation ought to bring forward at a more rapid advancement a change from the primitive life that these Indians have persisted in maintaining for centuries, and will hasten the period in which they will enter into the activities of citizenship, as citizens in the full sense of the word, in the State and Nation.

CLAIMS OF POSTMASTERS

The next business on the Consent Calendar was the bill (H. R. 325) repealing existing law requiring the Postmaster General to report action taken on claims of postmasters.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, this bill seeks to repeal the law which requires the Postmaster General to report to Congress his action on claims for losses. I want to remind gentlemen of what the President said at the Press Club the other night, that the people's greatest safeguard in the world is publicity. Now, they are seeking to repeal this provision for publicity. And I am against this bill, and object to its passage.

Mr. SPROUL of Illinois. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDING SECTION 5 OF THE ACT OF MARCH 2, 1895

The next business on the Consent Calendar was the bill (H. R. 7030) to amend section 5 of the act of March 2, 1895.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. RAMSEYER. Reserving the right to object, I want to ask the gentleman if he is prepared to offer an amendment in reference to the United States Code?

Mr. KELLY. I will say that that has been provided for, and an amendment will be offered.

Mr. LAGUARDIA. Reserving the right to object, I want to point out that section 815 of title 29, United States Code, is in the act approved March 8. What reference does the gentleman propose to give?

Mr. KELLY. Title 6, section 3, is the amendment I propose to offer.

Mr. LAGUARDIA. Has the gentleman compared the section?

Mr. KELLY. Yes; it is title 6, section 3.

Mr. LAGUARDIA. I think the gentleman will find himself in conflict.

Mr. KELLY. It was compared by the gentleman from Iowa [Mr. RAMSEYER] and myself.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the act of March 2, 1895, chapter 177, is amended by the addition of the following:

"Provided, That the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees shall be a compliance with the requirement for the renewal of such bonds within the meaning of this act."

Mr. KELLY. Mr. Speaker, I offer the following amendment. The Clerk read as follows:

Page 1, line 3, at the end of the line after figures "177" insert "(U. S. C. title 6, section 3.)"

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PENSIONS TO DEPUTY MARSHALS OF THE UNITED STATES DISTRICT COURTS

The next business on the Consent Calendar was the bill (H. R. 5709) granting a pension to the regularly commissioned United States deputy marshals of the United States District Court for the Western District of Arkansas, including the Indian Territory, now the State of Oklahoma, and to their widows and dependent children.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. BLANTON. Reserving the right to object, this is a new pension act, and seems to establish a bad precedent. If the gentleman from Arkansas wants to make a statement I will reserve my objection.

Mr. TILLMAN. Mr. Speaker, I hope I may have the attention of the House while I explain this bill. It appears to be a pension bill of course. The objection was made once that it should have gone to the Committee on Pensions. The reason why the bill was not sent to the Committee on Pensions was that it proposes to pension deputy marshals of the district courts. Hence it properly should have gone to the Committee on the Judiciary, where it has gone. It has been carefully considered on numerous occasions by the Judiciary Committee. There has been extensive hearings at one time. The Judiciary Committee of three separate Congresses have unanimously recommended the passage of the bill.

Mr. CRAMTON. The bill says it is to pay a pension.

Mr. TILLMAN. I grant that.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. BLANTON. None of the United States marshals and none of the deputy marshals of the United States in any State are pensioned now.

Mr. TILLMAN. Let me have a little time in that connection to explain.

Mr. BLANTON. In that connection, if we pass this bill, and if we grant a pension of \$50 a month to these particular deputy marshals down in Oklahoma—

Mr. TILLMAN. And Texas.

Mr. BLANTON. Yes; and Texas—and right now, of course, I am particularly interested in what goes on in Texas—

Mr. TILLMAN. And so are we.

Mr. BLANTON. Would not that be letting the camel's nose get under the tent, and would not every one of these deputy marshals and every United States marshal hereafter come in and say, "If you grant a pension to these, do likewise unto us."

Mr. TILLMAN. If I may have just a little time to explain this.

Mr. DYER. I ask unanimous consent that the gentleman may proceed for five minutes.

The SPEAKER pro tempore (Mr. SNELL). The gentleman is recognized. This is going on by unanimous consent.

Mr. TILLMAN. Mr. Speaker, I want to explain the position of the friends of this bill and to discuss the objection raised by the gentleman from Texas [Mr. BLANTON]. Going back a little, Judge Parker, originally an Ohio man, was judge of the western district of Arkansas for a great many years, and he was judge of the biggest criminal court in the world. He had 13,000 criminal cases on his docket at one time. Judge Parker was one of the greatest judges in America. He came from Ohio and went to Missouri. He was then appointed justice of a high court in Utah for a time, and was appointed by President Grant from that post to be judge of the western district of Arkansas. At that time Judge Parker had jurisdiction over the western district of Arkansas, which included the then Indian Territory. Before my friend from Texas, Mr. BLANTON, or my friends from Oklahoma, Mr. HASTINGS, Mr. HOWARD, and Judge SWANK, grew up, that particular section was the wildest country on the face of the earth. There were more robbers, horse thieves, and murderers and bootleggers in that section of the country than any place under the sun.

Mr. CRAMTON rose.

Mr. TILLMAN. Oh, let me have just a little time, and then I shall be very glad to yield to my amiable and good-looking friend from Michigan. Judge Parker was the judge of this court, and he had a number of deputy marshals whose business it was to pacify the country and to arrest these dangerous criminals; in fact, to perform military service as much so as any soldier. At that time a woman was not safe, at that time property was not safe, at that time human life was not safe. From all of the States of the Union, practically, murderers, thieves, robbers, and the whisky men gravitated to this particular section. It was the old Indian Territory, rendezvous par excellence of the lawless. They had no churches; they had no local self-government. This able, fearless judge, whom we all revere down there, undertook to pacify this section of country. Eighty men were hanged under Judge Parker's jurisdiction. That simply shows the extent of crime prevalent in the Indian Territory. This was just after the War between the States. The military arm of the Government tried to pacify the country. It was powerless to do so. These deputy marshals were men who had come out of the Confederate and Union Armies. They were appointed deputy marshals for the purpose of pacifying that country, and they did so. Sixty-five of them were killed in this dangerous service. They worked for a mere pittance. This was a military service which they performed, and that is why I say they ought to be pensioned. There are 25 or 30 of them alive, tottering old men, poor, afflicted, old. They performed this service for almost nothing.

Mr. LOZIER. Mr. Speaker, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. LOZIER. To show the conditions that prevailed in that jurisdiction, is it not a fact that in the history of the world there is no record of where one judge sentenced more people to execution than Judge Parker did?

Mr. TILLMAN. That is true, and that is why we respect him. He was equal to a difficult occasion. He sentenced murderers, and they were executed, and that splendid country has been redeemed, and now constitutes the State of Oklahoma. Personally I have very little interest in this bill. I think there are perhaps two or three of these old, blind, decrepit marshals in my district, perhaps in my county. The bulk of them are over in Oklahoma and in Texas and in a few surrounding States.

Mr. LEHLBACH. Mr. Speaker, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. LEHLBACH. Section 2 of this bill reads as follows:

That the pension herein provided for shall be computed from the date of the commission issued by the Department of Justice upon which the application is based.

That seems to provide for a back pension.

Mr. TILLMAN. That is an error. That is to say, I drew the bill from the old one first introduced. The report says it is not to be retroactive. I shall accept an amendment to provide that this pension shall not be retroactive.

Mr. LEHLBACH. This section should be stricken out.

Mr. TILLMAN. Yes; I would be glad to offer that amendment myself. I now yield to the gentleman from Michigan.

Mr. CRAMTON. Oh, I think the occasion has passed.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. BLANTON. There are many ex-sheriffs in the gentleman's State, in Oklahoma, and in my State, who have performed similar service to that mentioned by the distinguished gentleman from Arkansas. Is he going to pension all of them because they did their duty?

Mr. TILLMAN. Now, I do not want to be unreasonable, but I want you to allow this bill to go through with the amendment suggested by the gentleman from New Jersey, which I shall offer myself. In that connection I ask to amend the bill—

The SPEAKER pro tempore. The bill is not reported yet. Is there objection to the present consideration of the bill?

Mr. HOOPER. Reserving the right to object, Mr. Speaker, I am sure that all of us sympathize with the situation that is referred to in this bill, but at the same time it furnishes a precedent entirely outside of anything to which we have been accustomed. It selects and singles out about two men, as I understand from the gentleman from Arkansas—

Mr. BLANTON. Oh, more than that.

Mr. HOOPER. Five, perhaps.

Mr. BLANTON. No; there are a bunch of them.

Mr. HOOPER. I understood the gentleman from Arkansas [Mr. TILLMAN] to say there are but two.

Mr. TILLMAN. From my county there are but two or three, but throughout the country there are more, perhaps 30.

Mr. HOOPER. They are not soldiers, although they undoubtedly performed as courageous a service as any soldier would perform. Yet they are not in a situation of such a kind as that they can be recognized as soldiers. We pension them as soldiers, but not when they are United States marshals.

Mr. HOWARD of Oklahoma. Mr. Speaker, will the gentleman withhold his reservation of the right to object? I want to make a statement.

Mr. HOOPER. Yes; I will withhold it. But, Mr. Speaker, it seems to me the precedent that would be established by the enactment of this bill would be dangerous in the extreme. It would open up the floodgates to all sorts of bills that would be introduced here, and this would be pointed to as a precedent. While I reserve the right to object at the request of the gentleman from Oklahoma and others, I shall object.

The SPEAKER pro tempore. The gentleman from Michigan reserves the right to object.

Mr. HOWARD of Oklahoma. Mr. Speaker, I think there is a misapprehension in regard to the setting of a precedent by the passing of this bill. I want to direct the attention of the House to the fact that this court was a special court. It was created by Congress for a specific purpose, and while it was located in the State of Arkansas it had no jurisdiction in that State at all.

I want to say further that this can not be regarded as a precedent, because there never has been and there never will be again a set of United States marshals working under the same conditions as these. They were the trail blazers of civilization. This court was established for the purpose of bringing civilization into that country. This judge was appointed, and when their work was done and this court dissolved these marshals went out of employment and were, as a matter of fact, special officers of the Government for a special cause during their employment.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield there?

Mr. HOWARD of Oklahoma. I will be very glad to.

Mr. CRAMTON. The precedent would consist not in the number of bills that might come in affecting United States marshals, but a precedent of passing a bill giving a pension to these United States marshals would be objectionable from the fact that many classes of civilian officials might urge a similar pension, and this would constitute a precedent for them.

Mr. HOWARD of Oklahoma. I want to call attention to this: These marshals for whom we are appealing here were in a special court which was created because we realized the necessity for a court of that kind in order to carry out this work. They put on these marshals because if soldiers had been put in control of this work they could not have reached those people. If soldiers had done the work that these marshals did we would be pensioning them to-day. I say we have had none like this before and will have none in the future.

Mr. CRAMTON. I think the gentleman from Oklahoma has used an unfortunate illustration when he referred to soldiers. If Regular Army soldiers had performed that duty it is not certain that they would have received any pension, and certainly not \$50 a month. They would have received a pension only for injuries incurred in the line of duty and not as much as \$50 a month.

Mr. HOWARD of Oklahoma. I will say that these United States marshals received disabilities in the line of duty.

Mr. TILLMAN. As a matter of fact, soldiers did try to pacify that country, and then it was requested that the marshals be given a free hand, and they went in and did the work. I call attention to the testimony here, where it is stated that several times soldiers did attempt to pacify the country and failed.

Mr. HOWARD of Oklahoma. In order that it may be made a part of the record in this case, I want to read a memorial from one of these United States marshals as to the results of this work—Mr. Frank Cochran, of Oklahoma City.

Mr. CRAMTON. Let me suggest to the gentleman that there are a number of other bills that Members are interested in, and the gentleman from Michigan [Mr. HOOPER] says he will object to this bill.

Mr. BLANTON. I suggest that the gentleman extend his remarks in the RECORD.

Mr. HOWARD of Oklahoma. No. I believe it will be a bit of history that Congress will be interested in. It will take only two or three minutes.

Mr. CRAMTON. Members are interested in passing other bills.

Mr. HOWARD of Oklahoma. I hope the gentleman from Michigan will not undertake to take me off my feet. I read:

FROM MEMORY OF THE FORT SMITH COURT

By Frank Cochran

The United States Court of the Western District of Arkansas was an entirely different court from the United States district courts of to-day, and the United States marshals that served its processes were altogether different—a different system to work under. Congress established this court. It had jurisdiction in criminal cases over all the Indian Territory from Arkansas west to Colorado and New Mexico, from Kansas to Texas, an area of 74,000 square miles. Less than 100 men kept this vast wilderness practically safe for people who traveled through the country. In 1875 Hon. Isaac C. Parker was appointed judge by Congress. He was judge of this court 21 years. Fourteen of the years there was no appeal from his court. No other court in America was ever vested with such power. Most all criminal cases and the worst criminals that were in the United States. In the 21 years Judge Parker was on the bench 13,500 cases were handled. Nine thousand five hundred of these were convicted or pleaded guilty; 174 were convicted of murder. He sentenced 172 men to death; 88 of these men were hanged. During his term as judge these crimes were all committed in the Indian Territory. The court was situated at Fort Smith, Ark., but had no jurisdiction over crime in that State. Hundreds went to prison for life. * * * We traveled on horseback, slept on the ground, swam rivers (no bridges), carried our "chow" with us. Judge Parker gave us our orders. Processes of his court had to be served. Often we would be 20 to 40 days out serving these papers. We had orders to serve them. We got no salary. We got 6 cents per mile and expenses going, 10 cents returning if we got service. Sixty-five per cent of us were killed or wounded. We took more risks, saw more hardships, than the Army. I believe if the committee all understood the kind of work we did and the kind of country we did it in, they would allow us old boys something, as many of them need it in their old days.

Mr. Speaker, I maintain that this is a different order of affairs. This will not set any precedent, because, as a matter of fact, these people worked for the United States Congress in a special court that Congress created for the purpose of driving civilization farther out into the West and making homes for the settlers.

The SPEAKER pro tempore. Is there objection?

Mr. HOOPER. Mr. Speaker, I object.

Mr. DYER. Mr. Speaker, I wish the gentleman would withhold his objection for a moment in order that I may make a statement. It is true that this legislation, if enacted, would set a precedent which, probably, we would not want to come up before us in after years. There is something to that point, but the facts in this case, Mr. Speaker, are such that, in my judgment, they warrant the precedent, owing to the hazardous and dangerous service rendered by these old pioneers of more than half a century ago. For that reason the committee felt it was its duty to submit it to the House, even though it might be considered a precedent for after years. However, we felt it was one the House should consider and pass upon, and we felt the facts warranted the passage of the bill.

Mr. BLANTON. Will the gentleman yield?

Mr. DYER. Yes.

Mr. BLANTON. If we passed this bill and a bill were to come before the gentleman's committee to pension all the United States marshals and deputies, what would the gentleman do with it?

Mr. DYER. We would not consider it, of course.

Mr. BLANTON. You would have to do it if you followed this precedent.

Mr. DYER. We would not do that.

The SPEAKER pro tempore. Is there objection?

Mr. HOOPER. Mr. Speaker, I object.

Mr. TILLMAN. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. But objection is made.

AMENDING SECTION 5 OF THE ACT OF MARCH 2, 1895

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that we may return to H. R. 7030, and ask unanimous consent that the Clerk may correct the amendment offered by the gentleman from Pennsylvania, so as to make the amendment read:

Section 3, Title VI, United States Code.

Mr. BLANTON. Mr. Speaker, reserving the right to object, you can only do that by vacating the proceedings. You can not do it by returning to the bill.

Mr. LAGUARDIA. It is the same amendment.

Mr. BLANTON. But you would have to vacate the proceedings.

Mr. LAGUARDIA. I can do that in a minute. Mr. Speaker, I ask unanimous consent that we vacate the proceedings and that the order of the amendment be reversed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

IRON GATES IN WEST EXECUTIVE AVENUE

The next business on the Consent Calendar was the bill (H. R. 359) authorizing the presentation of the iron gates in West Executive Avenue between the grounds of the State, War, and Navy Building and the White House to the Ohio State Archeological and Historical Society for the memorial gateways into the Spiegel Grove State Park.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, when the gentleman from Ohio becomes governor of that State, will he invite his colleagues to the presentation of these artistic gates?

Mr. BEGG. I will say to the gentleman from New York that he does not need to wait until that future time. I will invite him right now to be my guest at any time.

Mr. BLANTON. Mr. Speaker, I want to ask the gentleman a question. Are there proper gateways now at the entrance of the grounds to the executive mansion in the capital of the State of Ohio?

Mr. BEGG. I will say to the gentleman that these gates have nothing to do with that.

Mr. BLANTON. If there are not, I think we ought to place these particular ones there.

Mr. BEGG. I will say to the gentleman from Texas that if the time ever comes that I have the key to that particular place he will be welcome and the gates will open up for him.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Whereas the Ohio State Archeological and Historical Society, of which Rutherford B. Hayes was the president at the time of his death, has received by deed to the State of Ohio, dated March 30, 1909, the Hayes homestead in Spiegel Grove, Fremont, Ohio, together with all the personal property connected therewith, including his library Americana, without cost, under the simple conditions that the premises should be maintained and used as a State park in which the old French and Indian trail, known as the Sandusky-Scioto Trail, from Lake Erie to the Ohio River, shall be preserved and maintained as a park drive, and that the granite monument designed and erected by Rutherford B. Hayes after the death of Lucy Webb Hayes be transferred to the knoll in Spiegel Grove, and, together with such improvements as shall be made to the entrance of the State park by the donors, be maintained forever; and

Whereas the old French and Indian trail through Spiegel Grove, used by Indian and French explorers and war parties from the St. Lawrence River and the Great Lakes to the Ohio and Mississippi, later used by the British and Indians from Fort Pitt in the campaigns against the French at Detroit, and later still, after the surrender of Detroit, by the French in 1763, by the British against General Harrison in the War of 1812, has heretofore been marked by memorial gate posts, with historical legends, so spaced to receive the gates from West Executive Avenue, which had been voluntarily tendered by President Harding, a former resident of the congressional district; the Congress of the United States had awarded gold medals to Major General Harrison, commanding the Northwestern Army, and to Maj. George Croghan, the gallant defender of Fort Stephenson at Fremont in the War of 1812, and after

the Spiegel Grove State Park had been deeded to the State of Ohio for historical purposes the War Department, in recognition of the memorial gateways to be erected in honor of Major General Harrison, commanding the Northwest Army in the War of 1812, and of Major General McPherson, the officer of highest rank and command killed in battle during the war for the Union, and a native of and buried in this county, presented and delivered, free on board cars at Fremont, four 10-inch Rodman cannon and four 15-inch cannon balls to form the upright gateposts and caps of the General Harrison and General McPherson gateways into the Spiegel Grove State Park; the donors of the Spiegel Grove State Park have erected a beautiful Hayes Memorial Building, to which has been added an historical library and museum building, and generously endowed the same, together with funds from a land endowment sufficient to maintain the Hayes homestead, and have placed the management and control of endowment funds for historical endowments and research funds in the Rutherford B. Hayes-Lucy Webb Hayes Foundation, a self-perpetuating body, composed of five trustees for life, viz, the Rev. Dr. W. O. Thompson, president emeritus Ohio State University; the Hon. Newton D. Baker, Secretary of War during the World War; the Hon. THEODORE E. BURTON, Representative in Congress; the Hon. John H. Clarke, former justice of the Supreme Court; and the Hon. Myron T. Herrick, ambassador to France.

With the following committee amendment:

Strike out all of the bill and insert the following:

"That the Director of Public Buildings and Public Parks of the National Capital is hereby authorized and directed to deliver to the Spiegel Grove State Park, Fremont, Ohio, the iron gates now hanging in West Executive Avenue between the grounds of the State, War, and Navy Building and the White House."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

OIL AND GAS PERMITS

The next business on the Consent Calendar was the bill (H. R. 5783) to grant extensions of time of oil and gas permits.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I want to ask a question. Why is it necessary to have this extension of two years?

Mr. DOUGLAS of Arizona. I will say this to the gentleman from Texas, that all previous legislation on the subject has given authority for the granting of permits for a period of two years.

Mr. BLANTON. But the gentleman is seeking an extension of two years.

Mr. DOUGLAS of Arizona. There are three classes of permits, and only one general class will be affected by this bill.

Mr. BLANTON. Where did this bill come from?

Mr. DOUGLAS of Arizona. This bill has been favorably reported.

Mr. BLANTON. Where did it come from to the gentleman? Where did the gentleman find it?

Mr. DOUGLAS of Arizona. It came to me from your former colleague, now in the Senate.

Mr. BLANTON. That is all the gentleman knows about it?

Mr. DOUGLAS of Arizona. No; I know a good deal more about it than that.

Mr. BLANTON. Mr. Speaker, for the present, I object.

Mr. DOUGLAS of Arizona. Will the gentleman withhold his objection and permit me to state the intent of the bill?

Mr. BLANTON. Yes.

Mr. DOUGLAS of Arizona. There are three general classes of permits, a permittee who has been granted a permit, who has done a certain amount of exploration work and who has abandoned the permit.

This piece of legislation does not pertain to such a permittee. There is the other class of those who have not been diligent in complying with the law with reference to the amount of work which has to be done, and who, because of their lack of diligence, have had their permits canceled. This legislation does not refer to that class of permittee.

Mr. BLANTON. But the gentleman knows that under every oil and gas lease—

Mr. DOUGLAS of Arizona. This is a permit, not a lease.

Mr. BLANTON. But under every gas and oil lease and under every gas and oil permit there is a provision that where a person has acted in good faith and has used any diligence whatever to preserve his rights there is no cancellation of the lease or permit.

Mr. DOUGLAS of Arizona. But the gentleman from Texas will bear in mind that this act refers only to permit and not to leases.

Mr. BLANTON. I catch that; but they are on an equal footing.

Mr. DOUGLAS of Arizona. No; I beg the gentleman's pardon. A permit is for the purpose of exploring, not for the purpose of extracting, because there is nothing to extract.

Mr. COLTON. Will the gentleman yield?

Mr. DOUGLAS of Arizona. Yes.

Mr. COLTON. I am sure the gentleman from Texas is in error. If the Secretary of the Interior or anyone was authorized to grant an extension, this bill would not be here. The time expires automatically. We have never given more than two years.

Mr. BLANTON. The great trouble with such permits is that they are in many instances just like leases, and the parties get these permits to keep somebody else from getting them, and then they never pursue their rights under them at all.

Mr. COLTON. If the gentleman will permit, under the very terms of this bill they must show good faith; they must show that in the first six months after the permit was granted they have drilled 500 feet; they must show that within the two years they have drilled 2,000 feet. Under some of the permits issued they have spent \$250,000 or more and have not succeeded in finding oil, and in some of the fields with which I am acquainted some of the companies have withdrawn entirely; others are willing to go ahead and spend more money if we will permit them to do it, and the utmost good faith has been shown and will be required before the Secretary of the Interior will grant an extension.

Mr. BLANTON. Has the gentleman any knowledge of the origin of this bill?

Mr. COLTON. I have not, except that it comes from thoroughly reliable sources.

Mr. BLANTON. Who drew it?

Mr. DOUGLAS of Arizona. My friend, the Senator from Arizona [Mr. HAYDEN].

Mr. BLANTON. And the gentleman's colleague asked him to introduce it here, but who drew this bill?

Mr. DOUGLAS of Arizona. Senator HAYDEN of Arizona drew this bill just as he drew the bill which was introduced in 1926 and which was passed by this House.

Mr. BLANTON. I have such confidence in the Senator from Arizona [Mr. HAYDEN], Mr. Speaker, that I withdraw my reservation of objection. [Applause.]

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I want to suggest that when the gentleman from Texas comes to know this gentleman from Arizona [Mr. DOUGLAS], he will have similar confidence in him. [Applause.]

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That any oil or gas prospecting permit issued under the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, or extended under the act entitled "An act to authorize the Secretary of the Interior to grant extensions of time under oil and gas permits, and for other purposes," approved January 11, 1922, and April 5, 1926, may be extended by the Secretary of the Interior for an additional period of two years, if he shall find that the permittee has been unable, with the exercise of reasonable diligence, to begin drilling operations or to drill wells of the depth and within the time required by existing law, and has failed to discover oil or gas, and desires to prosecute further exploration.

SEC. 2. Upon application to the Secretary of the Interior, and subject to valid intervening rights and to the provisions of section 1 of this act, any permit which has already expired because of lack of authority under existing law to make further extensions may be extended for a period of two years from the date of the passage of this act.

With the following committee amendments:

Page 1, line 9, after "1922," strike out the word "and" and insert the words "or as further extended under the act of."

Page 1, at the end of line 5, insert the words "or has drilled wells of the depth and within the time required by existing law."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ADDITIONAL DUTIES OF TERRITORIAL OFFICERS OF ALASKA

The next business on the Consent Calendar was the bill (H. R. 8284) to authorize the payment of amounts appropriated

by the Legislature of Alaska on account of additional duties imposed upon territorial officers.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

DAM ACROSS THE KANSAS (KAW) RIVER AT LAWRENCE, KANS.

The next business on the Consent Calendar was the bill (H. R. 5569) relative to the dam across the Kansas (Kaw) River, at Lawrence, in Douglas County, Kans.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I notice the report from the War Department directs attention to the jurisdiction of the Federal Power Commission. Has the gentleman given consideration to that?

Mr. DENISON. Mr. Speaker, the Secretary merely calls attention to the fact that it is under their jurisdiction. It has been given full consideration by the committee. This bill only authorizes repairing the dam. This dam was built back in 1872, before there was any Federal law governing such structures, and because of that fact they hold that this legislation is necessary.

Mr. CRAMTON. So it is not an increase in the structure?

Mr. DENISON. No; just a permit to repair the dam.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the assent of the United States be, and is hereby, given to the Bowersock Mill & Power Co., a partnership, owners of the Bowersock Dam, constructed across the Kansas (Kaw) River at Lawrence, Douglas, Kans., in 1872 and 1873, and to their successors and assigns, without further authority from the United States, to maintain the said dam and to repair and improve the same as provided in the order of the public service commission of the State of Kansas, issued on the 2d day of July, 1926, in accordance with the statutes of said State, and to maintain the said dam as repaired and improved with a permanent crest at 808 feet above sea level and flashboards at 812 feet above sea level, expressly reserving to the United States, however, the right to alter, amend, or repeal this act as the needs of navigation may hereafter require: *Provided, however,* That this act shall not have the effect of changing in any manner the liability of the owners of said dam for injury or damages to adjacent property.

With the following committee amendments:

Page 1, line 3, strike out the word "assent" and insert the word "consent" in lieu thereof.

Page 1, line 6, after the word "Douglas," insert the word "County."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE OUACHITA RIVER AT HARRISONBURG, LA.

The next business on the Consent Calendar was the bill (H. R. 5727) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Harrisonburg, La.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. DENISON. Mr. Speaker, this bill is in the usual form, the standard form provided by the committee, and I ask unanimous consent that the bill may be considered as having been read, the committee amendments agreed to, the bill ordered to be engrossed and read the third time, read the third time, and passed, and a motion to reconsider laid on the table.

The SPEAKER pro tempore. Is there objection?

Mr. LUCE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois for some information. There are 70 bridge bills on this calendar if I have counted them correctly. My observation has been that a bridge bill is one of the rarest to arouse opposition in the House. What is the obstacle in the way of saving the time of the House by putting bridge bills into an omnibus bill as we do pension bills and claim bills?

Mr. DENISON. In reply to the gentleman I will say that it seems to the committee impracticable. We have 10 different forms for bridge bills, depending on the type of the bridge that is to be constructed. For instance, we have a form for a free bridge, one for a toll bridge, a different form for a railroad bridge, a different form for a bridge built by the public, like State, county, or municipality, a different form where a private company wants to build a bridge, a different form for an

individual, and also a form for an international bridge, a different form for an interstate and one for intrastate. I think it will be impractical to try to combine them in an omnibus bill.

Mr. LUCE. Where would be the difficulty in making 10 paragraphs in the bill? Does it not seem to the gentleman that some way could be devised to save having to go through this routine or motion 70 times?

Mr. DENISON. I have just suggested one way that we could save time. We now have a standard form for these various kinds of bridge bills, and we are asking that time may be saved by not reading them individually but passing them as rapidly as possible.

Mr. LA GUARDIA. Regular order!

The SPEAKER pro tempore. The regular order is called for. Is there objection to the request of the gentleman from Illinois? There was no objection.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

BRIDGE BILLS

The following bridge bills were severally considered, the committee amendments agreed to, the bills as amended were ordered to be engrossed and read the third time, were read the third time and passed, and a motion to reconsider was laid on the table:

H. R. 7199. A bill granting the consent of Congress to the Oregon-Washington Bridge Co. to maintain a bridge already constructed across Columbia River;

H. R. 7371. A bill granting the consent of Congress to the State of Idaho to construct, maintain, and operate a bridge across the Snake River near Heyburn, Idaho;

H. R. 7375. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across Tennessee River near Guntersville on the Guntersville-Huntsville road in Marshall County, Ala.;

H. R. 7902. A bill granting the consent of Congress to the State Highway Department of the State of Alabama to construct a bridge across the Coosa River near Wetumpka, Elmore County, Ala.; and

H. R. 7909. A bill to authorize the maintenance and renewal of a timber frame trestle in place of a fixed span at the Wisconsin end of the steel bridge of the Duluth & Superior Bridge Co. over the St. Louis River between the States of Wisconsin and Minnesota.

HOSPITAL AT DAYTON SOLDIERS' HOME

Mr. RANKIN. Mr. Speaker, a while ago there was an agreement to pass over H. R. 132 for 30 minutes. That time has passed, and I think the matter ought to be disposed of if it is going to be disposed of to-day.

Mr. CRAMTON. The gentleman alludes to the bill where we were trying to get some information from the Budget. We have been unable to do so up to this time.

Mr. BLANTON. But the gentleman from Mississippi has matters extraneous to the Budget.

Mr. CRAMTON. Well, the gentleman can offer those.

Mr. BLANTON. It might make the action of the Budget immaterial.

Mr. CRAMTON. Under the order of the House it was to go over until we got the information from the Budget.

Mr. RANKIN. I want to ask if the gentleman has any assurance that we are going to get a report from the Budget to-day?

Mr. CRAMTON. I anticipate so; yes.

Mr. RANKIN. Would not the gentleman from Michigan agree to have this bill passed over without prejudice until another day?

Mr. CRAMTON. I suggested that and there was some objection.

Mr. RANKIN. There is going to be considerable controversy over it in its present form. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROY G. FITZGERALD. I have no objection to that.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that this bill (H. R. 132) be passed over without prejudice. Is there objection?

There was no objection.

BRIDGE BILLS

The following bridge bills, with amendments, were severally considered, the amendments severally agreed to, and the bills as amended severally ordered to be engrossed and read a third time, were read the third time and passed; and motions to re-

consider the votes by which the bills were passed were severally laid on the table:

H. R. 7914. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tennessee River near Whitesburg Ferry on Huntsville-Lacey Springs road between Madison and Morgan Counties, Ala.;

H. R. 7915. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tennessee River near Scottsboro on the Scottsboro-Fort Payne road in Jackson County, Ala.;

H. R. 7925. A bill authorizing the maintenance of a bridge over the Monongahela River between the borough of Glassport and the city of Clairton, in the State of Pennsylvania;

H. R. 7948. A bill to extend the times for commencing and completing the construction of a bridge across the Delaware River;

H. R. 8530. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Coosa River, near Cedar Bluff in Cherokee County, Ala.;

H. R. 8531. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Coosa River on the Columbiana-Talladega road between Talladega and Shelby Counties, Ala.;

H. R. 8740. A bill granting the consent of Congress to the county of Cook, State of Illinois, to construct, maintain, and operate a bridge across the Little Calumet in Cook County, State of Illinois;

H. R. 8743. A bill extending the time for the construction of the bridge across the Mississippi River in Ramsey and Hennepin Counties, Minn., by the Chicago, Milwaukee & St. Paul Railway;

H. R. 8818. A bill granting the consent of Congress to the Louisiana Highway Commission, its successors and assigns, to construct, maintain, and operate a bridge across the Red River at or near Moncla, La.;

H. R. 8896. A bill granting the consent of Congress to the State of Alabama to construct, maintain, and operate a bridge across the Conecuh River;

H. R. 8899. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tombigbee River at or near Epes, Ala.; and

H. R. 8900. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tombigbee River near Gainesville on the Gainesville-Eutaw road between Sumter and Greene Counties, Ala.

BRIDGE ACROSS MISSISSIPPI RIVER AT PRAIRIE DU CHIEN, WIS.

The next business on the Consent Calendar was the bill (H. R. 5818) granting the consent of Congress to J. H. Peacock, F. G. Bell, S. V. Taylor, E. C. Amann, and C. E. Ferris to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Prairie du Chien, Wis.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the bill as amended.

Mr. DENISON. I ask unanimous consent that the reading be dispensed with.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN of Missouri: At the end of section 7 add the following: "Provided, That bonds or other securities issued against or based on the construction and revenues of said bridge and approaches will not exceed the actual cost of such construction and operation, economically made, plus a maximum of 10 per cent added thereto, and it shall be the duty of the Secretary of War, prior to the issue of any such bonds or other securities to determine the total thereof which may thus be issued."

Mr. COCHRAN of Missouri. Mr. Speaker, ladies, and gentlemen of the House, this is the first bill that has been reached where the consent of Congress is granted to individuals to construct a bridge.

For the benefit of the Members who did not hear my remarks this morning, I will say that the purpose of the amendment is to give protection to the individuals who buy the securities to make possible the building of the bridge. The bill gives protection to the city, county, and State, so far as the purchase of the bridge after completion is concerned. As the gentleman from Massachusetts [Mr. LUCE] stated to-day, there are over 70 bills on the calendar and about half of them grant the consent of Congress to individuals or corporations to build bridges.

The Secretary of War is called upon after the completion of the bridge to set a valuation on the structure, and it is done for the purpose of allowing the city, county, or State to buy the bridge if it so desires. Now, for example, suppose the Secretary of War, after the bridge is completed, places a valuation of a million dollars on the structure and bonds have been issued and sold to the value of \$1,500,000, the people who bought the bonds hold the bag for \$500,000. I want the value placed on the bridge prior to construction and limit the amount of securities that can be issued to that amount, plus 10 per cent, which should certainly satisfy the promoter and will at the same time protect the people who buy the bonds from inflation.

This does not mean the defeat of any of your bills on the calendar to-day. I want that distinctly understood. If my amendment is agreed to, you can proceed to pass the bills and add the amendment to all. If my amendment is defeated, I will abide by the decision of the House and not object to the consideration of the bills. I will, however, try to force a record vote. I feel that the same protection should be given to the individual who makes the building of the bridge possible before a bridge is erected as is given to the city, county, or State after the bridge is completed.

With this explanation, Mr. Speaker, I am ready for a vote on my amendment.

Mr. DENISON. Mr. Speaker, I do not want to add anything to what I said earlier in the afternoon with reference to the point raised by the gentleman from Missouri [Mr. COCHRAN]; but since I made those remarks I have received a telegram which I want to read to the House and insert in the RECORD, because I feel that when it is done the gentleman from Missouri will feel satisfied that his point has been fully met.

I stated in my remarks a while ago that the blue sky law of Missouri fully protects the people in regard to bridge securities sold in the State of Missouri. I sent a telegram out to the secretary of state of Missouri in order to be absolutely sure that my construction of their blue sky law was right. I made the statement that their blue sky law would protect their people in the cases the gentleman mentioned, but I wanted to be sure about that, and so I sent a telegram to the secretary of state, and I have received his answer, which is as follows:

JEFFERSON CITY, Mo., February 6, 1928.

E. E. DENISON,

Member of Congress, Washington, D. C.

Securities issued by private corporations for funds to construct bridges must be qualified under the securities act of this State before they can be sold.

F. T. STOCKARD, Commissioner.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. COCHRAN of Missouri. I received the same telegram, but this morning I read to the House a statement, and I told the gentleman from Illinois that I had secured that statement from a man who is constructing a bridge in my city to-day, in which he says that the bonds for the construction of his bridge were not subject to the blue sky law of our State. They were listed through the Chicago Stock Exchange, and I understand the blue sky law does not require direct application where stock or bond issue is listed on such an exchange. I read that statement this morning, and it comes from a gentleman who is constructing a bridge at this time.

Mr. DENISON. I sent this telegram on Saturday in order to find out the views of the State officials, and this telegram that I have received is from the State official charged with administering their blue sky law.

Mr. COCHRAN of Missouri. I have a telegram from a man who serves under the secretary of state. But I am citing the case of a man who is constructing a bridge and he says that the bonds for the construction of that bridge are not under the control of the blue sky law of my State, and that is the reason why I offered the amendment. If he had advised me otherwise I would not have offered the amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. COCHRAN] to the committee amendment.

The question was taken, and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. COCHRAN of Missouri. Mr. Speaker, I ask for a division.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 5, noes 75.

Mr. COCHRAN of Missouri. Mr. Speaker, I object to the vote. I make the point of no quorum.

Mr. CHINDBLOM. There was a large number who did not vote. Did the Chair count them?

The SPEAKER pro tempore. The Chair will count the Members present. [After counting.] One hundred and sixty-six gentlemen are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the amendment to the committee will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 18, nays 315, not voting 100, as follows:

[Roll No. 25]

YEAS—18

Black, Tex.
Blanton
Boylan
Cannon
Cochran, Mo.

Collins
Connelly
Cooper, Wis.
Fitzpatrick
Griffin

Johnson, Tex.
LaGuardia
McSwain
Rainey
Rankin

Schafer
Schneider
Underhill

NAYS—315

Abernethy
Ackerman
Adkins
Aldrich
Allen
Allgood
Almon
Arentz
Arnold
Aswell
Bacharach
Bachmann
Bankhead
Barbour
Beck, Wis.
Beers
Begg
Bell
Berger
Bland
Bloom
Bowles
Bowling
Bowman
Box
Brand, Ga.
Brand, Ohio
Briggs
Brigham
Browne
Browning
Buchanan
Bulwinkle
Burdick
Burness
Burton
Busby
Butler
Byrns
Canfield
Carss
Carter
Cartwright
Casey
Chalmers
Chapman
Chase
Chindblom
Clague
Clarke
Cochran, Pa.
Cohen
Cole, Iowa
Collier
Colton
Combs
Connally, Tex.
Corning
Cox
Crail
Cramton
Crisp
Crosier
Crowther
Cullen
Dallinger
Darrow
Davenport
Davey
Davis
Deal
Denison
De Rouen
Dickinson, Iowa
Dickinson, Mo.
Dominick
Doughton
Douglas, Ariz.
Draue

Dyer
Eaton
Edwards
Elliott
England
Englebright
Eslick
Estep
Evans, Calif.
Evans, Mont.
Faust
Fenn
Fish
Fisher
Fitzgerald, Roy G.
Fitzgerald, W. T.
Fletcher
Fort
Freeman
French
Fulmer
Furlow
Gambrell
Garber
Gardner, Ind.
Garner, Tex.
Garrett, Tenn.
Garrett, Tex.
Gasque
Gibson
Goodwin
Gregory
Green, Fla.
Greenwood
Griest
Guyer
Hadley
Hall, Ill.
Hall, Ind.
Hall, N. Dak.
Hammer
Hancock
Hardy
Hare
Hastings
Haugen
Hawley
Hersey
Hickey
Hill, Ala.
Hill, Wash.
Hoch
Hoffman
Hogg
Holaday
Hooper
Hope
Houston, Del.
Howard, Nebr.
Howard, Okla.
Huddleston
Hudson
Hudspeth
Hughes
Hull, Tenn.
Hull, Morton D.
Hull, William E.
Irwin
Jeffers
Jenkins
Johnson, Ill.
Johnson, Ind.
Johnson, Okla.
Johnson, Wash.
Jones
Kading
Kahn
Keams
Kelly

Kemp
Kendall
Kent
Kerr
Ketcham
Kiess
Kincheloe
King
Kopp
Korell
Kurtz
Kvale
Langley
Lanham
Lankford
Lea
Leavitt
Lehbach
Letts
Lindsay
Linthicum
Lozier
Luce
Lyon
McClintic
McDuffie
McFadden
McKeown
McLaughlin
McLeod
McMillan
McReynolds
MacGregor
Maas
Madden
Magrady
Major, Ill.
Major, Mo.
Manlove
Mansfield
Mapes
Martin, La.
Mead
Menges
Merritt
Michener
Miller
Milligan
Monast
Montague
Mooney
Moore, Ky.
Moore, Va.
Moorman
Morehead
Morin
Morrow
Murphy
Nelson, Me.
Nelson, Mo.
Nelson, Wis.
Newton
Niedringhaus
Norton, Nebr.
O'Brien
O'Connell
O'Connor, La.
Oldfield
Oliver, Ala.
Palmsano
Parker
Peavey
Peery
Perkins
Prall
Purnell
Quayle
Quin
Ragon

Ramseyer
Rathbone
Rayburn
Reed, N. Y.
Reid, Ill.
Robinson, Iowa
Robison, Ky.
Rogers
Rowbottom
Rubey
Rutherford
Sanders, N. Y.
Sanders, Tex.
Sandlin
Sears, Fla.
Seger
Selvig
Shallenberger
Simmons
Sinclair
Sinnott
Snell
Somers, N. Y.
Speaks
Spearling
Sproul, Ill.
Sproul, Kans.
Steele
Strong, Kans.
Sullivan
Summers, Wash.
Summers, Tex.
Swank
Swing
Tarver
Tatgenhorst
Taylor, Colo.
Taylor, Tenn.
Temple
Thatcher
Thurston
Tillman
Tilson
Timberlake
Tinkham
Underwood
Udike
Vestal
Vincent, Mich.
Vinson, Ky.
Wainwright
Ware
Warren
Wason
Watres
Watson
Weaver
Welch, Calif.
Welsh, Pa.
White, Colo.
White, Kans.
Whitehead
Whittington
Williams, Ill.
Williams, Mo.
Williams, Tex.
Wilson, La.
Wilson, Miss.
Winter
Wolverton
Wood
Woodruff
Wright
Wurkhach
Wyant
Yates
Yon
Zihlman

NOT VOTING—100

Andresen
Andrew
Anthony
Auf der Heide
Ayres
Bacon
Beck, Pa.
Beedy
Black, N. Y.

Bohn
Boles
Britten
Buckbee
Bushong
Campbell
Carew
Carley
Celler
Christopherson
Clancy
Connolly, Pa.
Cooper, Ohio
Curry
Dempsey
Dickstein
Douglass, Mass.
Doutrich

Dowell
Doyle
Drewry
Driver
Foss
Frear
Free
Frothingham
Fulbright

Gallivan	Kunz	Parks	Stevenson
Gifford	Lampert	Porter	Stobbs
Gilbert	Larsen	Pou	Strong, Pa.
Glynn	Leatherwood	Pratt	Strother
Golder	Leech	Ransley	Sweet
Goldsborough	Lowrey	Reece	Swick
Graham	McSweeney	Reed, Ark.	Taber
Green, Iowa	Martin, Mass.	Romjue	Thompson
Hale	Michaelson	Sabath	Treadway
Harrison	Moore, N. J.	Sears, Nebr.	Tucker
Igoe	Moore, Ohio	Shreve	Vinson, Ga.
Jacobstein	Morgan	Sirovich	Weller
James	Norton, N. J.	Smith	White, Me.
Johnson, S. Dak.	O'Connor, N. Y.	Stalker	Williamson
Kindred	Oliver, N. Y.	Stegall	Wingo
Knutson	Palmer	Stedman	Woodrum

So the amendment was rejected.

The Clerk announced the following pairs:
Until further notice:

Mr. Green of Iowa with Mr. Pou.
Mr. Treadway with Mr. Gallivan.
Mr. Beck of Pennsylvania with Mr. Stevenson.
Mr. Britten with Mr. Drewry.
Mr. Connolly of Pennsylvania with Mr. Carew.
Mr. Dowell with Mr. Kunz.
Mr. Free with Mr. Weller.
Mr. Gifford with Mr. Stedman.
Mr. Sweet with Mr. Harrison.
Mr. Shreve with Mr. Moore of New Jersey.
Mr. Morgan with Mr. Parks.
Mr. Stalker with Mr. Woodrum.
Mr. Martin of Massachusetts with Mr. Gilbert.
Mr. Swick with Mr. Sabath.
Mr. Stobbs with Mr. Ayres.
Mr. Ransley with Mr. Dickstein.
Mr. Foss with Mr. Romjue.
Mr. Strong of Pennsylvania with Mr. Black of New York.
Mr. Curry with Mr. Stegall.
Mr. Porter with Mr. Tucker.
Mr. Moore of Ohio with Mr. Fulbright.
Mr. Clancy with Mr. Wingo.
Mr. Johnson of South Dakota with Mr. Carley.
Mr. Anthony with Mr. Doyle.
Mr. Bacon with Mr. Celler.
Mr. Lampert with Mr. Vinson of Georgia.
Mr. White of Maine with Mr. Kindred.
Mr. Cooper of Ohio with Mr. Lowry.
Mr. Dontrich with Mr. Douglass of Massachusetts.
Mr. Knutson with Mr. Auf der Heide.
Mr. Parker with Mr. Sirovich.
Mr. Reece with Mr. Driver.
Mr. Smith with Mr. Larsen.
Mr. Taber with Mr. O'Connor of New York.
Mr. Graham with Mrs. Norton.
Mr. Frothingham with Mr. Oliver of New York.
Mr. Palmer with Mr. Igoe.
Mr. Frear with Mr. Jacobstein.
Mr. Dempsey with Mr. McSweeney.
Mr. Campbell with Mr. Goldsborough.

The result of the vote was announced as above recorded.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

HOSPITAL AT DAYTON SOLDIERS' HOME

Mr. HOWARD of Nebraska. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. HOWARD of Nebraska. I rise for a parliamentary purpose. It seems that earlier in the day the Speaker announced that a certain bill would be held in abeyance for 30 minutes while somebody was going out to find out what the Director of the Bureau of the Budget thought about it. Now, the 30 minutes have expired, and when it comes to a problem of building hospitals for soldiers, who are confined in a building which is admittedly a fire trap, I am not in favor of waiting even 30 minutes for the Director of the Bureau of the Budget to report. I would like to have that report now, according to the order of the House.

The SPEAKER pro tempore. The Chair will inform the gentleman that during his absence unanimous consent was granted that that bill be passed over without prejudice.

Mr. BLANTON. Mr. Speaker, would it be in order for us to ascertain whether there will be any suspensions this afternoon?

The SPEAKER pro tempore. The Chair at the present time does not know of any.

BRIDGE BILLS

The following bridge bills were severally considered, the committee amendments agreed to, the bills as amended ordered to be engrossed and read a third time, were read the third time, and passed, and a motion to reconsider laid on the table:

H. R. 8837. A bill granting the consent of Congress to the American Bridge & Ferry Co. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 8726. A bill granting the consent of Congress to Oscar Baertch, Christ Buhmann, and Fred Reiter, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 449. A bill granting the consent of Congress to the Louisiana Highway Commission, its successors and assigns, to construct, maintain, and operate a bridge across the Atchafalaya River; and

H. R. 5501. A bill granting the consent of Congress to the Hermann Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River.

BRIDGE ACROSS THE OHIO RIVER

The next business on the Consent Calendar was the bill (H. R. 472) granting the consent of Congress to Dwight P. Robinson & Co. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BRAND of Ohio. Mr. Speaker, I object.

Mr. VINSON of Kentucky. Will the gentleman withhold his objection?

Mr. BRAND of Ohio. I will.

Mr. VINSON of Kentucky. Mr. Speaker, the bill to which objection has been made is H. R. 472, granting Dwight P. Robinson & Co. the right to build a bridge between Maysville, Ky., and Aberdeen, Ohio. I certainly hope that the reservation of objection will be withdrawn. I would like to state that at the last session of Congress such a bill, together with a bill introduced by the gentleman from Ohio [Mr. KEARNS], passed the House by unanimous consent, but failed of passage in the Senate. So far as the gentleman from Ohio [Mr. KEARNS] and myself are concerned there is no difference of opinion at this time. Neither will submit an objection to the bill of the other. My bill held first position on the calendar last year. He did not object to my bill and I did not object to his bill. The bill which follows H. R. 472 on this calendar is a bill which was introduced by the gentleman from Ohio [Mr. KEARNS] granting permission to the Maysville Bridge Co. to construct a bridge across the Ohio River between Maysville, Ky., and Aberdeen, Ohio, the same points. It has been stated upon several occasions that the Kearns bill, or the Maysville Bridge Co. bill, is a combination bill in that it permits the building of a bridge for railroad and vehicular purposes, but I state that the bill which comes before us for consideration (H. R. 437) does not contain the combination feature. It is in identic language, so far as power is concerned, with the bill which is under consideration at this time.

Mr. KEARNS. Will the gentleman yield?

Mr. VINSON of Kentucky. I yield.

Mr. KEARNS. It is true that the committee did amend my bill so that it destroyed the combination feature of the bill, but that did not come to my attention until this morning. I have now seen the gentleman from Illinois [Mr. DENISON] and he has prepared an amendment which will make my bill a combination bill—that is, it will provide for a railroad and vehicular bridge.

Mr. VINSON of Kentucky. If I recall correctly, at the last session of Congress it was the position of the gentleman from Ohio that a bill granting the right to construct a bridge across the Ohio River carried with it the right to build a combination bridge.

Mr. KEARNS. That was my position, because I was told that by members of the Interstate and Foreign Commerce Committee.

Mr. VINSON of Kentucky. If that is the condition I submit that H. R. 472, the bill under discussion now, would be inclusive of the right to build a combination bridge.

Mr. KEARNS. But your company, if the gentleman will permit, does not intend and would not build a combination bridge; that is, a railroad and vehicular bridge.

Mr. VINSON of Kentucky. I think the gentleman goes a trifle far because my understanding is that the gentlemen who seek the permit under my bill would build a combination bridge if the matter were submitted to them in substantial form.

Mr. KEARNS. Why do they not then introduce such a bill?

Mr. VINSON of Kentucky. Because the gentleman last year took the position that an ordinary bridge bill included the right to build a vehicular bridge. I do not take the position that these people under this bill intend to build a combination bridge. My statement was that if the matter was presented to them in substantial form I felt certain they would be glad to listen to it. They are one of the largest bridge constructors

in this country and would be glad to construct any bridge that economic conditions justify.

Mr. KEARNS. What does the gentleman mean by "substantial form"?

Mr. VINSON of Kentucky. Oh, substance rather than dreams; realities rather than visions.

Mr. KEARNS. They claim now they want a vehicular bridge and nothing else.

Mr. VINSON of Kentucky. That is what they seek under this bill.

Mr. KEARNS. The Maysville Bridge Co. declare they want to build a combination bridge and have introduced such a bill.

Mr. VINSON of Kentucky. Their bill is identical in language with the bill before us, if the committee amendment was agreed to.

Mr. KEARNS. I understand that, but the bill was introduced for a combined bridge; and the committee, without my knowing anything about it, struck out the railroad part of it and made it a vehicular bridge.

Mr. VINSON of Kentucky. Would the gentleman from Ohio want a bill to pass Congress permitting the construction of a combined bridge between these two points with a recapture clause in it? That is what you have in this bill under consideration now.

Mr. KEARNS. But it is going to be amended on the floor of the House.

Mr. VINSON of Kentucky. The bill which the gentleman introduced had a recapture clause in it.

Mr. KEARNS. The bill I introduced provided for a combination bridge.

Mr. VINSON of Kentucky. And carried a recapture clause.

Mr. KEARNS. The committee struck out the combined-bridge language and did not amend it properly. This was all done without my knowledge.

Mr. VINSON of Kentucky. I would like to say to the House I have not opposed the bill of the gentleman from Ohio [Mr. KEARNS] either in the last session or now.

Mr. KEARNS. I did not oppose the gentleman's bill. But since the gentleman from Kentucky has drawn me into this controversy, I must say that it is apparent to me that a combined bridge would better serve the people than would a single bridge.

Mr. VINSON of Kentucky. I do not see how I have drawn you into controversy. I am not opposing it, but it seems to me that, in view of the splendid utterances of the gentleman from Illinois [Mr. DENISON], heard upon the floor of this Congress when he said there should be no monopoly, there should be no exclusive rights given to any individual or any corporation in order that they might go around and barter and sell such rights; we should take heed and not permit a monopoly and an exclusive right to come from this Congress to-day. I only desire the passage of both bills.

Mr. ROY G. FITZGERALD. Will the gentleman yield?

Mr. VINSON of Kentucky. I am glad to yield to the gentleman from Ohio.

Mr. ROY G. FITZGERALD. Mr. Speaker, I have no particular interest in the matter except as it involves an opportunity to open a great market for Kentucky coal in my own State and through to the lake ports. I understand we have before us two bills, both to build bridges across the Ohio River at the same point, one, H. R. 472, by my friend from Kentucky, providing a vehicular bridge only, and the other bill, H. R. 437, by Mr. KEARNS, introduced for a combined vehicular and railroad bridge, which would bring about railroad facilities by which we can market more of Kentucky's coal through Ohio and to the world. For this reason I was interested in the railroad feature of the bridge. I was told that if the present bill, H. R. 472, now before the House were passed it would end all opportunity of getting a railroad bridge. I was called on the phone by my good friend from Kentucky, who said, when I told him this, that it was a bluff. I then said to these gentlemen who were asking that the subsequent bill to this, H. R. 437, only be passed—that is, the one introduced by my friend the gentleman from Ohio [Mr. KEARNS]—to get proof of that fact, and I have been furnished with an affidavit quoting from the contract by which the combination bridge will be built, and I ask unanimous consent to put this statement in the RECORD, for it indicates that this bridge provided under the bill H. R. 437, introduced by my friend the gentleman from Ohio, which is the next bill on the calendar, had as its original purpose and will have as it will be amended a railroad bridge, and that the money for the building of this bridge is assured if no other bill providing for a bridge at this point, Maysville, Ky., passes this House; and, further, that in accordance with the ideas of my good friend the gentleman from Missouri [Mr. COCHRAN] in regard to bridge

construction, this bridge will be built without there being put on the market any sort of securities which will violate any blue sky law, but the money sufficient to build the bridge will be furnished by the persons entering into this contract, and who are able to do so.

Mr. VINSON of Kentucky. At that point will the gentleman permit an interruption?

Mr. ROY G. FITZGERALD. In just a moment. If this bill, H. R. 472, is not passed, which we now have before us, and the next bill, H. R. 437, is passed, which provides for a railroad bridge, the money can be furnished, the bridge can be built; and we can not get any bridge if we pass both of these bills.

I now yield to the gentleman from Kentucky.

Mr. BRAND of Ohio. Mr. Speaker, I do not feel like yielding further.

Mr. VINSON of Kentucky. I certainly trust the gentleman will permit an answer to the statement of his colleague.

Mr. BRAND of Ohio. I yield for a short statement.

Mr. VINSON of Kentucky. I state that the gentleman from Ohio [Mr. ROY G. FITZGERALD] did not quote me correctly in stating I said it was a bluff. I said they had sketches that could be viewed by the public showing that the bridge contemplated was a two-bridged affair; that they had made public statements in the press that the railroad end of the bridge would await a railroad constructed to it; and I submitted to the gentleman, as I recall it, that any railroad proposition was standing on mighty flimsy foundation that would not be constructed to serve as a common carrier unless they could not get the vehicular privileges attendant upon a combination bridge across the Ohio River. I still take that position. The Lord knows I would not lift my hand or lift my voice to put an obstacle in the way of moving Kentucky coal, because I know the condition in the Kentucky coal field. Our trouble has been, and is, that certain sections of Ohio have not wanted us to move our coal. However, there is no trouble about our getting Kentucky coal to Ohio and the lake cargo market on the road already built to carry this coal. It is a far cry—relief for our coal industry by constructing a vehicular bridge and wishing for a railroad to tack on to it—87 miles of railroad at that.

Mr. ROY G. FITZGERALD. We are agreed in our aim to do nothing to injure the coal industry of Kentucky. I ask unanimous consent, Mr. Speaker, to insert the affidavit to which I have referred in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The matter referred to follows:

Personally appeared before me, the undersigned, a notary public in and for the District of Columbia, J. M. Wilson, who, after being duly sworn, says that the following extracts taken from the contract entered into by and between Edward Ball, of Jacksonville, Fla., and Wilmington, Del., the said Edward Ball being the brother-in-law of Alfred I. du Pont, of the same cities, and the said Alfred I. du Pont in reality being the principal in this transaction:

"Whereas bills have been introduced in both Houses of Congress authorizing said company, its successors and assigns, to construct, maintain, and operate a combined railroad and vehicle bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation between Maysville, Ky., and Aberdeen, Ohio; and

"Whereas parties of the first part are desirous of financing the building of such bridge; and

"Whereas parties of the second part are connected and associated with Alfred I. du Pont interest and may thereby be in a position to finance such construction; and

"Whereas by resolution duly adopted by all of the stockholders of said corporation, a copy of which is hereto attached, said company, for good and valuable considerations therein stated, has contracted with parties of the first part to give said parties of the first part, their successors and assigns, a right within 10 years to lease the railroad facilities and approaches of said bridge for a term of 99 years unless sooner terminated as in the contract provided, and for the further term of 99 years and forever thereafter upon like terms and conditions."

That the entire cost of the said structure including the engineering plans and real estate upon which said bridge and its approaches are located are to be capitalized in the senior securities of the said company, all of which it is agreed shall be taken and the money furnished by said Alfred I. du Pont interest.

That no stock has been sold or offered to the public to aid in the financing of the said bridge and its approaches, excepting that taken by the original organizers and promoters of said The Maysville Bridge Co.

Other conditions existing in said contract are as follows:

"PARAGRAPH 1, SECTION (a). That Congress during its present session will authorize said company to build such bridge and will not during

such session authorize the building of any other bridge across the Ohio River at or in the vicinity of Maysville.

"PAR. 2. The party of the second part agrees that within 90 days after the passage of such act, authorizing said company to construct such bridge, and in the absence of any act authorizing any other bridge over the Ohio River at Maysville, or within 10 miles of Maysville."

Signed and acknowledged in the presence of Fred R. Miller, a notary public in and for the District of Columbia this 4th day of February, 1928.

J. M. WILSON,

Vice President and Manager The Maysville Bridge Co.

Witnesses:

A. D. HART

FRED R. MILLER

Subscribed and sworn to before me this 4th day of February, 1928.

[SEAL.]

FRED R. MILLER,

Notary Public, District of Columbia.

Mr. VINSON of Kentucky. Upon examination of the affidavit of Mr. Wilson submitted by the gentleman from Ohio [Mr. ROY T. FITZGERALD], it is apparent that the stunt of "now you see it and now you do not see it" is again utilized by Mr. Wilson in an endeavor to maintain his position that the railroad proposition is financed and the construction of the combined bridge certain.

It is well that the affidavit sets forth that it contains "extracts," for the reason that it is difficult indeed to ascertain what it means. Apparently, it is a contract entered into between a gentleman by the name of Edward Ball and the Maysville Bridge Co. It is suggested that Mr. Ball has some connection with the Alfred I. du Pont interests "and may thereby be in position to finance such construction."

But, Mr. Speaker and Members of the House, I direct your attention to the absence of any portion of the contract which squints at an agreement to finance or to build a combination bridge at this point. One section of the "extracts" purports to show that Mr. Ball has the option to lease "the railroad facilities and approaches of said bridge" within 10 years, presumably dating from the completion of the bridge. As hereafter set forth, it is unequivocally stated that the railroad portion of the bridge will not be constructed until a railroad may be had to use it. In fact, it would be economic folly to construct a complete railroad bridge unless the railroad which it would serve were financed and constructed. In our construction of this "extract," we define "the railroad facilities" to which reference is made as being the enlarged piers and the enlarged truss contemplated to be constructed and used in the vehicular bridge until they might be needed for the railroad.

That section of the affidavit which states that the cost of the structure shall be capitalized in the senior securities of the Maysville Bridge Co., to be taken over by the du Pont interests, is not a quotation from the contract nor does it refer to the construction of a railroad bridge or a combination railroad and vehicular bridge. It is strange that only such "extracts" are contained in the affidavit as throw no light upon the essential points involved; that is, the fact that a financing arrangement has been agreed upon, together with the type of bridge to be constructed. Truly, it is significant that there is no word in this affidavit indicative of the financing of the railroad which would make the combined bridge of any interest to that territory.

There are some splendid gentlemen living in Maysville who are financially interested in the Maysville Bridge Co. proposition. When I say that they are gentlemen I mean all that the words "Kentucky gentlemen" can imply. They have told me of the arrangement with Mr. Ball; they have printed their position in the press of Maysville, and I state that it is not proposed by them to construct a complete combination railroad and vehicular bridge unless and until they are able to finance a railroad to join that bridge.

At the last session there was not the slightest doubt in my mind that the proposal for a railroad there was a vision without financial support, but even then I did not choose to assume to be the final judge. There was no disturbance of any kind when the two bills passed the House. It was under unanimous consent agreement. When the bills went to the Senate, I journeyed many times to the other end of the Capitol in the effort to get both bills through so they could become law.

Since the last session and in the late fall, in the persons of some gentlemen in Kentucky, the bill secured some added backing. When I introduced the bill last session I had never heard of Mr. Wilson or the combination bridge feature which cause he espoused. When I reintroduced this bill, H. R. 472, at this session I had received no information that there was any change in the status of the Wilson dream.

I do not hesitate to state that the Wilson proposition had more substance in it at the beginning of this session than it had last session, in my mind, but from what has been said by the president of the company himself I can not permit it to go uncontradicted, even though stated by a Member of the House, that railroads would be carrying coal across the Ohio River at this point.

In the first place, there is no connecting railroad on the Ohio side. It is proposed that in some way or other there will be 87 miles of road constructed to Dayton, Ohio, the home of the distinguished gentleman from Ohio [Mr. ROY T. FITZGERALD]. In this day of discontinuance of railroads, several hundred miles having been abandoned the past few years—15 or 20 miles between Ripley and Georgetown, Ohio, in the Ohio territory proposed to be served by the phantom route—no proponent of this measure but would agree that the financing of that railroad would be quite a problem. It is not stated that the railroad has been financed. Mr. Horace J. Cochran is president of the Maysville Bridge Co. There is no higher-type gentleman in Kentucky than he. He makes no effort to deceive. It is not his nature. In an advertisement which comes out in the local press at Maysville this statement is carried over the signature of the Maysville Bridge Co.:

We do not propose to complete the railway part of this combination bridge at once. We will complete the vehicular traffic and foot passage parts, and will construct the bridge so as to sustain the weight of a standard railway when it is laid.

Sketches of the proposed bridge show that the vehicular bridge is one thing and the railroad bridge another. As I understand it, it is proposed to make the center piers stronger, so that it will bear the weight of the railroad bridge when it shall be constructed; and, as I understand it, it is contemplated to make the truss which rests on this center pier larger and stronger to the same end; but it is not proposed to build the railroad part of this bridge unless and until a railroad be constructed to it. It is absurd to say that the permit for a vehicular bridge will prevent the construction of a railroad.

I want to make this statement so that my position may be made clear. I have never opposed the Maysville Bridge Co. bill. I am not opposing it now. I am dealing with it as a vehicular bridge with the possibility of it blossoming into a combination bridge. It is certainly strange that an ordinary vehicular bridge bill found its way into the hopper at the last session. Then, it was claimed, that "any kind of a bridge can be built under that bill." At this session, the usual form for a combination bridge bill was not used and when it comes upon the floor to-day it is an ordinary vehicular bridge bill.

The statement from the Maysville Bridge Co. itself is unequivocal in its language that the railroad feature awaits the railroad. Here is my position: I am favoring the passage of the Maysville Bridge Co. bill. I have never opposed it. At the same time I have been endeavoring to follow the general policy laid down by Congress that no bona fide offer to build a bridge that will be of service to a great community will be rejected to the end that monopolies or exclusive privileges will be granted any individual or any corporation. The Maysville people and that vicinity deserve a bridge at that point, and if the adherents of the Maysville Bridge Co. will show me in the contract to which reference has been made and extracts printed therefrom, that the du Pont interests have agreed to finance and construct a complete combination bridge and approaches suitable for a railroad at this point, upon which trains can run, I will not only be glad to assist in the passage of H. R. 437, the Maysville Bridge Co. bill, as I am willing to do now, but I will withdraw my bill from consideration.

However, if they do not choose to give me the assurance that the complete railroad bridge and its approaches are to be constructed in fact rather than be sketched on paper—to await the financing of a railroad 87 miles long, I feel my position is thoroughly justified in my desire to see both bills pass the Congress.

I sincerely trust that the gentleman from Ohio [Mr. BRAND] will not object to the present consideration of this bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BRAND of Ohio. I object.

The next business on the Consent Calendar was the bill (H. R. 437) granting the consent of Congress to the Maysville Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River.

The Clerk read the title of the bill.

Mr. LYON. Mr. Speaker, I object.

Mr. VINSON of Kentucky. I hope the gentleman from North Carolina will withhold his objection a moment.

Mr. LYON. Mr. Speaker, I reserve the right to object.

Mr. VINSON of Kentucky. This bill has been referred to by its sponsors as a combination bridge bill. It has been stated that it is the purpose to construct a railroad and vehicular bridge under the permit herein sought. However, this bill has no combination bridge features in it. As it reads this moment it is an ordinary vehicular bridge bill. In this respect it is identical with the bill for a permit which I introduced, to which objection has just been heard. I understand it is the intention of the gentleman from Illinois [Mr. DENISON] to amend the bill in such manner as that a combination bridge bill will be created.

Mr. DENISON. Let me say that we have a different form for a combination bridge and railway bridge. This bill was amended by the committee, but by oversight we failed to make that provision. It was the committee's intention to offer a proper amendment to cure the error mentioned and make it a combination railroad and highway bridge.

Mr. VINSON of Kentucky. I respectfully submit that the language contained in the original bill introduced by the gentleman from Ohio [Mr. KEARNS], though it contained the language "a combined railroad and vehicular bridge," does not meet the requirements of your committee relative to bills to secure permit for the construction of a combined railroad and vehicular bridge.

I would like to call the attention of the gentleman from Illinois [Mr. DENISON] to the recapture clause of the bill under discussion.

Section 4 of this bill does not provide in terms for the recapture of the bridge. That portion of section 4 to which I refer reads as follows:

Sec. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Kentucky, the State of Ohio, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in real property necessary therefor, by purchase or by condemnation, or expropriation, in accordance with the laws of either of such States governing the acquisition or expropriation.

It is apparent from the reading of this language that there is no right of recapture of the bridge and the approaches that is carried in bills of this character. I submit that the words "such bridge and its approaches and any interest in" should be inserted after the word "in," which is found in line 7, page 7, of H. R. 437.

If the bill is to pass, I submit that it should carefully safeguard the right of recapture afforded to the people under the general policy laid down by the distinguished gentleman from Illinois [Mr. DENISON]. As I stated in my reservation, I do not oppose the bill under consideration and I trust there will be no objection to it.

The SPEAKER pro tempore. Is there objection?

Mr. LYON. I object.

BRIDGE BILLS

The following bridge bills were severally considered, the committee amendments agreed to, the bills as amended ordered to be engrossed and read a third time, were read the third time, and passed, and a motion to reconsider laid on the table:

H. R. 66. A bill granting the consent of Congress to B. L. Hendrix, G. C. Trammel, and C. S. Miller, their successors and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 121. A bill granting the consent of Congress to the Cairo Association of Commerce, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 5502. A bill granting the consent of Congress to the Washington Missouri River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 5679. A bill granting the consent of Congress to the Iowa-Nebraska Bridge Corporation, a Delaware corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 5721. A bill granting the consent of Congress to E. M. Elliott & Associate (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 5803. A bill granting the consent of Congress to the Interstate Bridge Co., of Lansing, Iowa, to construct a bridge across the Mississippi River at Lansing; and

H. R. 6073. A bill granting a permit to construct a bridge over the Ohio River at Ravenswood, W. Va.

Mr. DENISON. Mr. Speaker, I want to save time as much as possible, if I can, for the Members of the House. That is the only interest I have. All the bills on the next page of the

calendar, beginning at 177 and running down to 193, are bridge bills that have been considered by the committee and amended to conform with the regular forms agreed upon, and if there is no objection I will make a request that these bills be considered as having been read, the committee amendments agreed to, engrossed and read a third time, and passed. I am sure there is no objection to any of them that I know of.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. LaGUARDIA. Reserving the right to object, and I shall not object if a motion to reconsider is not made until to-morrow, so that any Member if caught unaware can raise the point to-morrow morning.

The SPEAKER. Is there objection?

There was no objection.

The following bridge bills were severally considered, the committee amendments agreed to, the bills ordered to be engrossed and read a third time, read the third time, and passed.

H. R. 6476. A bill granting the consent of Congress to Wabasha Bridge Committee, Wabasha, Minn., to construct, maintain, and operate a bridge across the Mississippi River at Wabasha, Minn.;

H. R. 6487. A bill granting the consent of Congress to the Baton Rouge-Mississippi River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at Baton Rouge, La.;

H. R. 6639. A bill granting the consent of Congress to the Centennial Bridge Co., of Independence, Mo. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 6973. A bill granting the consent of Congress to E. H. Wegener, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Chester, Ill.;

H. R. 7032. A bill granting the consent of Congress to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Cumberland River;

H. R. 7033. A bill granting the consent of Congress to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Cumberland River;

H. R. 7034. A bill granting the consent of Congress to Midland Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Cumberland River;

H. R. 7035. A bill granting the consent of Congress to Midland Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River;

H. R. 7036. A bill granting the consent of Congress to Valley Bridge Co. (Inc.), of Paducah, Ky., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River;

H. R. 7183. A bill granting the consent of Congress to C. J. Abbott, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 7184. A bill granting the consent of Congress to J. L. Rowan, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Ohio River;

H. R. 7916. A bill granting the consent of Congress to the Madison Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Madison, Jefferson County, Ind.;

H. R. 7921. A bill granting the consent of Congress to A. Robbins, of Hickman, Ky., his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 8106. A bill granting the consent of Congress to F. C. Barnhill, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 8107. A bill granting the consent of Congress to Frank M. Burruss, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 8227. A bill granting the consent of Congress to the Sunbury Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Susquehanna River from Bainbridge Street, in the city of Sunbury, Pa.; and

H. R. 8741. A bill granting the consent of Congress to the Dravo Contracting Co., its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Chester, Ill.

ADDITIONAL JUDGES, SOUTHERN DISTRICT OF NEW YORK

The next business on the Consent Calendar was the bill (H. R. 9200), to provide for the appointment of three additional judges of the District Court of the United States for the Southern District of New York.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADDITIONAL JUDGE, EASTERN DISTRICT OF NEW YORK

The next business on the Consent Calendar was the bill (H. R. 5774) to provide for the appointment of an additional judge of the District Court of the United States for the Eastern District of New York.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RELIEF OF VICTIMS, AIRPLANE ACCIDENT, LANGIN FIELD, W. VA.

The next business on the Consent Calendar was the bill (H. R. 482) to provide relief for the victims of the airplane accident at Langin Field, Moundsville, W. Va.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to make a thorough investigation of the merits of the claims which have been submitted to the War Department in writing, and which may be so submitted within six months after the date of this act, for compensation for property damage, death, or personal injury alleged to have been caused by the airplane accident at Langin Field, Moundsville, W. Va., on July 10, 1921, and to transmit each such claim with supporting papers and a report of his finding of facts and recommendations thereon to the Comptroller General of the United States for submission to the Congress with his recommendations thereon: *Provided*, That claims on account of disability or death resulting from personal injury sustained in said accident by persons not officers or employees of the United States shall not be recommended hereunder for persons or in amounts which would not be allowable under the United States employees' compensation act if the individual killed or injured were an employee of the United States: *Provided further*, That the report to be made hereunder shall contain a brief statement of the character and justice of each claim so certified, the amount claimed, and the amount found due.

With the following committee amendment:

Page 1, line 6, after the word "writing" strike out "and which may be so submitted within six months after the date of this act."

The committee amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

RIGHT OF WAY, IMPERIAL COUNTY, CALIF.

The next business on the Consent Calendar was the bill (H. R. 5686) granting a right of way to the county of Imperial, State of California, over certain public lands, for highway purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have an amendment providing that the land shall be ceded back to the United States when it shall cease to be used as a public highway, and if there is no objection to that I shall not object to the consideration of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby is, authorized, subject to valid existing adverse rights, to grant to the county of Imperial, State of California, for use as a public highway all the right, title, and interest of the United States of America in and to all or any of the following-described property, situated in

the county of Imperial, State of California, being 80 feet in width and lying 40 feet northerly and southerly of and parallel with the following-described center line:

Beginning at the common corner of sections 1, 2, 11, and 12, of township 17 south, range 16 east, San Bernardino base and meridian; thence easterly along the section line between sections 1 and 12 of township 17 south, range 16 east, and between sections 6 and 7, 5 and 8, 4 and 9, 3 and 10, 2 and 11, and 1 and 12, of township 17 south, range 17 east, and along the southerly line of sections 6, 5, and 4 of township 17 south, range 18 east, San Bernardino base and meridian, to a point in the southerly line of the last-mentioned section 4, which point is 828.42 feet westerly of the southeast corner of said section; thence northeasterly around a circular curve, having a radius of 2,000 feet concave to the northwest, a distance of 1,570.80 feet to a point; thence north 45° east, 5,810.17 feet to a point; thence northeasterly around a circular curve having a radius of 2,000 feet concave to the southeast, a distance of 1,570.80 feet to a point in the northerly line of section 2, township 17 south, range 18 east, San Bernardino base and meridian, which point is 828.42 feet easterly of the northwest corner of the last-mentioned section 2; thence easterly along the northerly line of sections 1 and 2, township 17 south, range 18 east, San Bernardino base and meridian, to its intersection with the center line of the California State highway extending from Holtville, Calif., to Yuma, Ariz.: *Provided*, That the Secretary of the Interior be, and he hereby is, authorized, as a condition precedent to the granting of said parcels of land for the purposes herein specified, to prescribe such conditions, to impose such limitations and reservations and to require such bonds or undertakings as he may deem necessary in order to protect valid existing rights in and to said lands, including reclamation and public water reserve purposes.

With the following committee amendment:

Page 3, line 12, after the word "purposes," insert a colon and the words: "*Provided further*, That the grant herein made shall not apply to the southwest quarter, section 1, township 17 south, range 16 east, San Bernardino meridian."

The committee amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 3, after line 15, insert the following new section:

"SEC. 2. That the land herein treated shall revert back to the United States when same shall cease to be used as a public highway."

The amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

TO CONSOLIDATE COPYRIGHT ACT

The next business on the Consent Calendar was the bill (H. R. 6104) to amend sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BOYLAN. Mr. Speaker, I object.

CONSTRUCTION AT FORT LEAVENWORTH, KANS.

The next business on the Consent Calendar was the bill (H. R. 9567) to authorize appropriations for construction at Fort Leavenworth, Kans., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, is there anyone here from the Committee on Military Affairs?

Mr. CRAMTON. Mr. Speaker, I had some discussion with my colleague from Michigan [Mr. JAMES] about this bill, and perhaps I can answer any question that is suggested.

Mr. LAGUARDIA. I shall object for the present.

Mr. CRAMTON. Mr. Speaker, I ask the gentleman to reserve his objection. My colleague from Michigan [Mr. JAMES] had to return to the hospital, and he asked me to answer any questions that I could.

Mr. LAGUARDIA. It is a matter of policy. This authorizes an appropriation of \$120,000. It is the first time that it is on the Consent Calendar, and I think I shall object.

Mr. CRAMTON. I have an amendment that I think might meet the view of the gentleman from New York. The gentleman will note that the bill was introduced by the gentleman from Kansas [Mr. ANTHONY], and because of illness he is not able to be here. The form in which it is presented is almost an appropriation. I have an amendment which Mr. JAMES says is agreeable to him, which will limit the authorization to

\$120,000 by inserting the words "not more than" and by striking out the items, so that all of it would have to be examined by the Budget and be approved and come through in the regular way.

Mr. LAGUARDIA. What does the gentleman say about the words "as in the judgment of the Secretary of War"?

Mr. CRAMTON. I have proposed to strike them out.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. With the understanding that these amendments will be offered, I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, \$120,000, to be expended for the construction and installation at Fort Leavenworth, Kans., of technical buildings and such utilities and appurtenances thereto as, in the judgment of the Secretary of War, may be necessary, as follows: One hangar, \$40,000; field warehouse and shop, \$45,000; headquarters building, \$20,000; gasoline and oil storage, \$5,000; night-flying lighting system, \$10,000.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 1, line 5, before the figures "\$120,000," insert the words "not more than"; and on page 1, line 10, after the word "thereto," strike out the remainder of the paragraph.

The SPEAKER pro tempore. The question is on agreeing to the amendments.

The amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

CONVENTION OF UNITED SPANISH WAR VETERANS IN HABANA, CUBA

The next business on the Consent Calendar was the bill (H. R. 7908) to authorize the granting of leave to ex-service men and women to attend the annual convention of the United Spanish War Veterans and auxiliary in Habana, Cuba, in 1928.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, it is very difficult to object to this type of bills, but there must be some consideration shown to the Treasury and to the Government's interests. The only precedent for this bill was similar action with reference to the Legion meeting in Paris. That is an entirely different situation, however. The distance and all is much greater in that case. No more time and expense are involved in going to Habana than in going to Houston, Tex., or to San Francisco. I do not believe that the precedent established in the Paris convention ought to be extended further. To grant leave of 60 days may result in a good deal of embarrassment to the public business. I therefore feel that it is my duty to object.

The SPEAKER pro tempore. Is there objection?

Mr. LEAVITT. Mr. Speaker, I hope the gentleman will not object to this bill, for this reason: The year 1928 is the thirtieth anniversary of the Spanish-American War, so far as it had to do with us. Not very many veterans of that war desire to go to Cuba to take part in the encampment, which probably will not be duplicated until some other anniversary, perhaps the fiftieth anniversary; and with the precedent established in regard to the American Legion it seems to me to be rather a direct step contrary to the feelings of the veterans of the Spanish War to have an objection raised and an apparent exception made.

Mr. LAGUARDIA. It is my understanding that the veterans can accumulate time. The bill says:

This statute shall not be construed to modify the provisions of the act approved March 3, 1893, the act approved May 23, 1908, and the act approved February 28, 1925, limiting the annual leave which may be granted with pay to 15 or 30 days in any one year, except that any portion of the 15 or 30 days' leave not granted or used during the calendar year 1927, or the fiscal year 1928, may be allowed to accumulate and be pyramided for the purpose herein specified in addition to the 15 or 30 days' leave with pay in the calendar year 1928 or the fiscal year 1929.

Mr. LEAVITT. Of course, this bill was introduced in 1927, and the fiscal year 1927 has gone by.

Mr. LAGUARDIA. I understand the purpose of this bill is to permit men to accumulate their leave for the purpose of allowing them to go to Cuba.

Mr. CRAMTON. The way the laws reads, then, is that a man in the Government service now is entitled to 30 days, and under this bill he is entitled to 60 days. He has no accumulated leave from the past.

Mr. LAGUARDIA. But suppose it is 1929?

Mr. CRAMTON. By this provision you are mortgaging his future leave. Thirty days' leave ought to be sufficient even to get from Montana to Cuba and return, and to spend about all the money the boys will have to spend for the trip.

Mr. LEAVITT. Of course, a visit of this kind has a great deal of sentimental value to those who took part in the war. It has no particular meaning to those who did not take part in the war.

Mr. CRAMTON. How long does the meeting take after they get there?

Mr. LEAVITT. Perhaps a week.

Mr. CRAMTON. Of course, in going to Paris and return a month would be of no value, but I do not see that that is in question here. While this is a type of bill that I do not like to object to, yet—

Mr. LEAVITT. I do not think it will apply to more than 30 or 40 men in the Government service.

Mr. CRAMTON. I will ask the gentleman if it is his construction—the gentleman from New Jersey [Mr. LEHLBACH] introduced the bill—that it would be entirely discretionary with the officials as to whether they would grant the leave or not? Because when you are giving a man 60 days' leave with pay, nobody knows whether he will be in the Government service next year, due to resignation or death, and it can not be foreseen whether he would be entitled to anticipated leave. If I could see that it was necessary in order to make the convention a success, that would be one thing; but to give them 60 days' leave with pay when it is not necessary to make the convention a success is another matter.

Mr. LEAVITT. The responsibility is upon any officer in charge of a bureau to say if it will interfere with the public business.

Mr. LAGUARDIA. It is stated in the bill on line 6 that it is in the discretion of the head of a department or bureau.

Mr. LEAVITT. Yes; that is stated in the bill, and it is understood by the veterans.

Mr. CRAMTON. The bill may come up two weeks from now, and will then require three objections. I object now. If no one agrees with me next time it will pass.

Mr. MADDEN. I agree with the gentleman.

The SPEAKER pro tempore. Objection is heard. The Clerk will call the next bill.

GRAZING LANDS IN MONTANA

The next business on the Consent Calendar was the bill (H. R. 445) authorizing the Secretary of the Interior to enter into a cooperative agreement or agreements with the State of Montana and private owners of land within the State of Montana for grazing and range development, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to enter into a cooperative agreement or agreements with the State of Montana and private owners of such lands in townships 4 north of ranges 50 and 51 east; 5 north of ranges 45, 50, and 51 east; and 6 north of ranges 49, 50, and 51 east, Montana principal meridian, as lie between Mizpah and Pumpkin Creeks, in the State of Montana, whereby such lands and lands within the same area belonging to the United States may be jointly leased for a period of not to exceed 10 years to stockmen owning lands within or adjacent to the said area, under such rules and regulations as the Secretary of the Interior may prescribe; and to enter into such an agreement and issue such a lease to a regularly organized association of such stockmen as will fulfill the purposes of this act: *Provided*, That the lands of the United States within the said area shall be withdrawn from all forms of homestead entry during the period of said lease but shall remain subject to the mineral land laws of the United States: *And provided further*, That any lease issued under the provisions of this act shall be for grazing and range development purposes only: *And provided further*, That the Secretary of the Interior is hereby authorized to cooperate with any department of the Government in carrying out the purposes

of this act with a view to securing the fullest possible benefit to the Government and the livestock industry of such studies as may be made of the operation and results of said cooperative agreements and leases.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. LEAVITT. Mr. Speaker, this is a very important bill and I ask unanimous consent to extend my remarks in the RECORD in regard to it at this point.

Mr. Speaker, this is an important bill and one which should have some explanation in the RECORD because of the principles involved. It is intended to apply to rough grazing lands in Montana, of which the United States owns 27,534 acres so intermingled with the rest that the use of the entire area by local stockmen dependent upon this range is greatly hampered, and the value of the entire area therefore seriously reduced. Authority exists for the leasing of lands privately owned and belonging to the State to these dependent stockmen, but there is no law under which the United States can lease its part of the lands (about one-fourth). The result is that the use of the entire area is made haphazard and destructive to the forage and to the permanent carrying capacity of the range. This bill is intended to allow the Secretary of the Interior to join in such a lease.

The result will be that stockmen having ranches and hay lands on the two creeks between which these grazing lands lie, known as Mizpah and Pumpkin Creeks, may acquire a lease of long enough duration to justify development of water and such range control as will restore and increase carrying capacity. It will thus become an asset to the permanent development of numerous homes and a factor in the building up of a valuable and important industry.

An added value lies in the fact that this area is only a short distance from the range livestock experiment station at old Fork Keogh, near Miles City. Trained men employed there can carry on studies of this area and compile data of the utmost value as to methods of grazing and handling the public ranges.

The entire matter has been worked out in cooperation. The rights of the private owners are not infringed on in any way and no one is forced into any agreement. The bill is only intended to empower the Secretary of the Interior as the agent of the Government to act with other landowners within the area in working out a cooperative agreement whereby these lands may be both used to advantage and adequately protected against overgrazing.

To do this on this area, where the conditions are typically those existing in many western localities, will furnish a laboratory where the vexing problem of how the public ranges should be handled may be, at least, partly worked out. At any rate, there will be opportunity for study, and for that reason the powers granted the Secretary of the Interior are made broad enough for experimental procedure, always in cooperation with the stockmen and the owners of land other than the Government.

To understand fully the constructive possibilities of this bill, it must be remembered that the cooperative unit includes a gross area of 108,804 acres, made up of the following ownerships in total area and per cent of area:

Ownership	Total acres	Per cent of total area
Northern Pacific Railway Co.	44,357	40.8
Privately owned and 90 per cent abandoned	22,432	20.6
Privately owned by co-operators	8,081	7.4
State of Montana	6,400	5.9
Government public domain	27,534	25.3
Total	108,804	100.0

The unappropriated Government public domain is generally the more broken and poorer forage-producing sections that have not warranted private ownership, and that under present conditions would not justify the payment of taxes and holding charges due to the relatively low production of forage, the only commercial crop upon them. None of this public land is suitable for cultivation. Many of the Northern Pacific sections are similar in character, and the relatively large holdings of the Northern Pacific Railway Co. is indicative of the lack of demand for this land, although it has been for sale by that company for many years. Only in large blocks is this character

of land of material value to the stock industry, and consequently the investment and holding charges must be within that amount that will allow the investor a reasonable return from his livestock products.

The first use made of this locality for livestock production followed the migration of the southern herds to the virgin grasslands of Montana in the early eighties. At that time this range in common with others in this section of Montana was composed mainly of the wheat grasses, *Agropyron Smithii* and *Agropyron Spicatum*, highly palatable to cattle and producing a considerable volume of forage due to the height growth of the species. The less volume-producing grammas and other drought-resistant grasses were present but in restricted amounts. Pioneers yet recall the days of the virgin range, when the grasses touched the stirrups and prairie hay was available wherever sufficiently level to cut. This condition was undoubtedly true, the wheat grasses were preeminent and had not given way through overstocking and abuse to the more resistant, the less volume-producing gramma, and associated species.

This area was in these early days used largely for winter range. The broken topography supplied the shelter and a protected summer growth of forage furnished sufficient winter pasture. Adjoining valleys were unfenced and available for summer range, allowing the broken hills to grow and retain the grasses for winter use. Progressing settlement of the valleys gradually forced the use of these hills for summer pasture in addition to the winter use, until finally the hills represented the only remaining free and unrestricted range, and competition between stockmen had arrived at that point where the numbers of stock were in excess of the available forage and severe overgrazing resulted in the practical disappearance of the highly palatable and greater-volume-producing wheat grasses and a change in the composition of the forage plants to a predominating short gramma-grass range with associated less palatable species. This condition of overstocking caused certain stockmen to attempt to secure private control of certain portions of the range by entering into contract purchases for the alternate sections of Northern Pacific lands with the hope of controlling the alternate Government sections, and providing pasture that could be controlled and protected insufficient area to provide pasture for their herds. Then came the 640-acre grazing homestead act and the land boom, and these stockmen found themselves facing the necessity of purchasing the alternate Government sections that were indiscriminately filed upon as rapidly as title could be secured. This was followed by the deflation period, mounting taxes, increased holding charges, and low prices for livestock products, with the result that the contract-purchased lands were largely thrown back upon the railroad company and other lands taken over by creditors in liquidation of loans. Improvements depreciated, abandoned and worthless horses became numerous, and the overgrazed condition of the land reduced the production of cattle from the above area from an estimate of 6,000 head, some 30 years ago, to a maximum of 2,300 head this year.

It was this condition that aroused the interest of the remaining settlers and resulted in the forming of a cooperative livestock association with the common hope and object of legitimately, and at a price within the realization of a safe return from a livestock investment, to acquire control of this unit of range land upon which their ranches and farms are dependent.

Representative sections of the uncontrolled range were covered by an intensive grazing survey and as a check the William Tonn pasture that lies within the unit and that has been under control since 1919 was also intensively surveyed. This survey took into consideration the density, composition, palatability, and volume of the plant growth on both the unrestricted and the controlled range. The controlled range is exactly similar to the uncontrolled except that it has been properly stocked for the past six years, is under fence, and has had water developed at reasonable distances for the stock.

The Tonn pasture averages 168 forage acres per section, and the uncontrolled area 107 forage acres per section, or in terms of carrying capacity for cattle over a six and one-half months period, the Tonn pasture averages 16 surface acres per head as to 22 surface acres per head for the outside uncontrolled range.

The Tonn pasture shows 7 per cent more density, 19 per cent more volume, and 12 per cent more palatability than the outside range. The total production of forage within the Tonn pasture is 38 per cent more than the average for the uncontrolled range. In other words, if we assume that the uncontrolled range is producing 100 tons of forage for a given area, the Tonn pasture, through proper use and control, is producing 138 tons of forage from an equal area.

The gross area of the proposed grazing unit is 108,804 acres. Under present conditions this represents 18,134 forage acres, which, based upon actual carrying capacity experiments on the

Custer National Forest, represents an animal month carrying capacity of 20,160, or in terms of livestock, 2,520 cattle for an 8-month period. This 2,520 cattle represents the true carrying capacity of the uncontrolled unit under present conditions. Assuming that an equal control management and water development as now existent in the Tonn pasture may be exercised, the area should support within six years an increase of 38 per cent in livestock, represented by 25,025 forage acres, 27,821 animal months, or 3,477 head of cattle for an 8-month period. This indicates a possible increase of 957 cattle within a six-year period from increased production of forage through intelligent control, management, and improvements.

The survey indicated that the Tonn pasture has not yet reached the maximum forage production that may be expected from a longer period of control, proper management, and stocking. The wheat grasses are increasing rapidly and conservative estimates would indicate that an additional increase in carrying capacity may be expected. It is not too optimistic to forecast that 10 years of proper management and control of the proposed unit would permanently allow 4,000 cattle to graze where only 2,500 find sufficient forage to-day.

The stockmen take the attitude that they can not afford to develop water or make any range improvements without a reasonable assurance that they may be protected in their use. Too often they have seen migratory stockmen move in on the water holes that control the adjoining range, and under present conditions they have no authority to prevent such encroachment. They are so dependent upon summer pasture that the present situation tends to prevent any material investment in improvements on their owned lands, since loss of the summer pasture would depreciate and make practically valueless the home ranches where the winter feed is produced. Their present hope is that by some form of assurance of permanent use of the necessary summer pasture they may confidently face the future, build up their private investments in ranch property, create a future for their children, and place their business upon as equally a sound plane as any other business or profession.

It is interesting to know that the Montana Stockgrowers' Association and the Eastern Montana Wool Growers' Association both passed resolutions favorable to enactment. They, like most stockmen of the West, are studying the problem of management of the public ranges with the hope that they may be made to fit into the need of permanent use. The Montana Agricultural College and its extension service, the Forest Service, and the officials and experts of the Range Livestock Experiment Station, close at hand, are lending every cooperative assistance possible.

The bill makes it possible for all concerned to reach the common ground necessary to constructive and helpful results of both immediate benefit and the broad value and possibility of thereby arriving at a wise national policy.

The SPEAKER. Without objection it is so ordered.

There was no objection.

CIVIL SERVICE COMMISSION

The next business on the Consent Calendar was the bill (H. R. 5603) to authorize members of the Civil Service Commission and its duly authorized representatives to administer oaths of office.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That members of the Civil Service Commission and its duly authorized representatives are hereby empowered and authorized to administer oaths of office, without compensation, to prospective officers and employees in the civil service of the United States, required to be taken upon their appointment or change of status.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ENCAMPMENT OF THE UNITED CONFEDERATE VETERANS

The next business on the Consent Calendar was the bill (H. R. 7013) authorizing and directing the Secretary of War to lend to the Governor of Arkansas 5,000 canvas cots, 10,000 blankets, 10,000 bed sheets, 5,000 pillows, 5,000 pillowcases, and 5,000 mattresses or bed sacks to be used at the encampment of the United Confederate Veterans to be held at Little Rock, Ark., in May, 1928.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the entertainment committee of the United Confederate Veterans, whose encampment is to be held at Little Rock, Ark., in the month of May, 1928, 5,000 canvas cots, 10,000 blankets, 10,000 bed sheets, 5,000 pillows, 5,000 pillowcases, and 5,000 mattresses or bed sacks: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and the chairman of said entertainment committee.

With the following committee amendment:

Page 2, line 9, after the word "committee," insert the following:

"Mr. E. R. Wiles: *Provided further*, That the Secretary of War before delivering said property shall take from said E. R. Wiles a good and sufficient bond for the safe return of said property in good order and condition and the whole without expense to the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

UNAUTHORIZED WEARING, MANUFACTURE, OR SALE OF MEDALS AND BADGES AWARDED BY THE WAR DEPARTMENT

The next business on the Consent Calendar was the bill (H. R. 8309) to amend an act entitled "An act to prohibit the unauthorized wearing, manufacture, or sale of medals and badges awarded by the War Department," approved February 24, 1923.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to prohibit the unauthorized wearing, manufacture, or sale of medals and badges awarded by the War Department," approved February 24, 1923, be amended so as to read as follows:

"That hereafter the wearing, manufacturing, or sale of the congressional medal of honor, distinguished-service cross, distinguished-service medal, soldier's medal, distinguished-flying cross, or any other decoration or medal which has been, or may be, authorized by Congress for the military forces of the United States, or any of the service medals or badges which have been, or may hereafter be, awarded by the War Department, or the ribbon, button, or rosette of any of the said medals, badges, or decorations, of the form as is or may hereafter be prescribed by the Secretary of War, or of any colorable imitation thereof, is prohibited, except when authorized under such regulations as the Secretary of War may prescribe.

"Any person who offends against the provisions of this section shall, on conviction, be punished by a fine not exceeding \$250 or by imprisonment not exceeding six months, or by both such fine and imprisonment."

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 1, line 5, after the figures "1923," insert the following: "section 1425 of Title X, United States Code."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

CAPITOL BUILDING AND GROUNDS

The next business on the Consent Calendar was the bill (H. R. 391) to regulate the use of the Capitol Building and Grounds.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURPHY. Mr. Speaker, I object.

BRIDGE BILLS

Mr. DENISON. Mr. Speaker, there are a number of bridge bills on the calendar that were not reached a while ago, and to which I know there is no objection. If there is no objection from Members of the House, I would like to call up those bills and pass them en bloc, as we did a while ago, in order to save time and to accommodate Members who have introduced bills which require immediate action.

Mr. JENKINS. Mr. Speaker, I want to reserve the right to object to two of those bills, in order that I may ask some questions of the author of the bills.

Mr. DENISON. Mr. Speaker, I ask unanimous consent that the bills, Calendar Nos. 231, 232, 235, 236, 242, 243, 244, 251, 253, 254, 267, and 268, be considered as having been read, the committee amendments agreed to, and the bills engrossed, read a third time, and passed. I am not making a motion to reconsider to-day.

Mr. BYRNS. Mr. Speaker, reserving the right to object, what does the gentleman propose to do with the other bills?

Mr. DENISON. I have omitted those bills to which I shall have to offer amendments from the floor, and those bills include the bills in which the gentleman from Tennessee is interested.

Mr. BYRNS. Does the gentleman propose to pass them right away?

Mr. DENISON. I am going to make that request.

The SPEAKER. Do the bills referred to by the gentleman from Illinois include the two bills to which the gentleman from Ohio desires to reserve the right to object?

Mr. JENKINS. Yes. I desire to reserve the right to object in order to ask some questions of the author of the bills H. R. 473 and H. R. 5722.

Mr. DENISON. I will yield to the gentleman for that purpose now.

Mr. JENKINS. The gentleman from Kentucky seems to be the author of these two bills, H. R. 473 and H. R. 5722. I notice that these bills provide for the construction of bridges at the same place. While I appreciate that it is the policy of Congress not to refuse bridge permits just because it might work a hardship on the investment already made in some nearby bridge project, still I know that Congress will not allow a permit if it is not asked for in good faith. I would therefore like to ask the gentleman from Kentucky whether or not these bridge bills are introduced in good faith, or whether there is any question about one of them or the other?

Mr. VINSON of Kentucky. I know the high purpose which actuates the gentleman from Ohio. I will say frankly that, if I were not thoroughly convinced that each of them was in good faith, and the offers made by responsible people, I would not have introduced the two bills. I will say to the gentleman that, as he knows, Ashland, Ky., is a city of some 32,000 people and is the only city of its size on the Ohio River which has no bridge across the river.

I have documentary evidence in my hands indicating the financial strength of each of the parties who desire permits. I am thoroughly satisfied they are good-faith offers and that the jobs can be done.

Mr. JENKINS. The gentleman will appreciate that Coal Grove, Ohio, and South Point, in my district, are opposite Ashland, and that naturally the people in that section are interested. I would like to ask the gentleman from Kentucky what he has to say with reference to the financial standing of the Ashland Bridge Co., and the probability of this company carrying out the agreement it has with the council of the village of Coal Grove to commence work within 90 days after the final approval of the plans by the War Department?

Mr. VINSON of Kentucky. I have communications from officials of the three banks in Ashland, Ky.—Mr. John E. Buckingham, president of the Ashland National Bank; Mr. L. N. Davis, cashier and vice president of the Second National Bank; and Mr. L. E. Davies, cashier of the Third National Bank—who vouch for their good faith and their financial worth. They say to me in these communications they have no doubt but this bridge will be started within 90 days after the permit is secured and the War Department approves their plans. They state unequivocally that the Ashland Bridge Co. is financially able to do the job. I may say with regard to the Rogers Bros. Co., that the Rogers brothers themselves are men of considerable means. The information I have is that they are thoroughly able, financially and otherwise, to do the job.

Mr. JENKINS. It has come to my attention that there are reports about to the effect that one of these concerns is a stock-promoting scheme. What has the gentleman to say about that?

Mr. VINSON of Kentucky. I have looked into that, and I have a letter from the city solicitor of Ashland, John T. Diederich, and he informs me that there is not one cent of promotion stock involved in the Ashland Bridge Co. proposition. In respect of the Rogers Bros. position, I am assured by a gentleman who formerly represented my district in this House and late Governor of Kentucky, Hon. W. J. Field, that there is no inflated promotion scheme of any kind connected with their offer.

Mr. JENKINS. Mr. Speaker, upon this assurance that my constituents in this vicinity of Coal Grove and South Point, Ohio, are not to be imposed upon by any promotion schemes, and that these proposals are in good faith, I withdraw my reservation of objection.

The following bridge bills were severally considered, the committee amendments agreed to, the bills as amended ordered to be engrossed and read a third time, were read the third time, and passed:

H. R. 9064. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Coosa River near Pell City, on the Pell City-Anniston road, between Calhoun and St. Clair Counties, Ala.;

H. R. 9186. A bill granting the consent of Congress to the Sistersville Ohio River Bridge Co., a corporation, its successors and assigns, for the construction, maintenance, and operation of a toll bridge across the Ohio River at Sistersville, Tyler County, W. Va.;

H. R. 9339. A bill granting the consent of Congress to the Board of County Commissioners of Trumbull County, Ohio, to construct a free highway bridge across the Mahoning River at Warren, Trumbull County, Ohio;

H. R. 9484. A bill granting the consent of Congress to the Highway Department of the State of Alabama to construct a bridge across the Tombigbee River near Aliceville on the Gainesville-Aliceville road in Pickens County, Ala.;

H. R. 8926. A bill granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across Red River near Garland, Ark.;

H. R. 9019. A bill granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across the Ouachita River near Calion, Ark.;

H. R. 9063. A bill to extend the times for commencing and completing the construction of a bridge across the Chattahoochee River at or near Alaga, Ala.;

H. R. 9280. A bill authorizing the extension of time for the construction of a bridge across the Ohio River approximately midway between the city of Owensboro, Ky., and Rockport, Ind.;

H. R. 9660. A bill authorizing the city of Louisville, Ky., to construct, maintain, and operate a toll bridge across the Ohio River at or near said city;

H. R. 9849. A bill granting the consent of Congress for the extension of the times for commencing and completing the construction of a bridge across the Mississippi River at Quincy, Ill.;

H. R. 473. A bill granting the consent of Congress to the Ashland Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River; and

H. R. 5722. A bill granting the consent of Congress to the Rogers Bros. Co. to construct, maintain, and operate a bridge across the Ohio River at Ashland, Ky.

CAPITOL BUILDING AND GROUNDS

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 205 (H. R. 391), a bill to regulate the use of the Capitol Building and Grounds and that I may withdraw the objection which I made a few moments ago.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. Is there objection to the present consideration to the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, unless authorized by concurrent resolution of Congress, the Capitol Building or Grounds shall not, except as provided in section 2, be used as a place to (1) parade, (2) deliver or make any address, oration, or speech, (3) hold or conduct any concert, reception, funeral, pageant, ceremony, celebration, exercise, or service of any kind, or (4) erect to display any flag banner, emblem, or device, designed or adapted to bring into public notice any party, organization, or movement.

The provisions of this section shall not apply to the use of the Capitol Building or Grounds as a place to transact any public business relating to the Congress or either House thereof or the Supreme Court of the United States.

SEC. 2. The Architect of the Capitol is authorized to permit, under rules and regulations to be promulgated by him, and under his supervision and direction: (1) The holding of dedicatory and memorial services in the Capitol Building or on the Capitol Grounds in connection with any statue, bust, or painting which has lawfully been placed in such building or upon the grounds, (2) the holding of concerts on the Capitol Grounds by any band in the service of the United States, and (3) in the event Congress is not in session, the use of the rotunda of the Capitol Building for funerals of distinguished public officials.

SEC. 3. Section 5 of the act entitled "An act to regulate the use of the Capitol Grounds," approved July 1, 1882, as amended, is amended to read as follows:

"SEC. 5. That it is forbidden to discharge any firearm, firework, or explosive, set fire to any combustible, or utter loud, threatening, or abusive language."

SEC. 4. Sections 6, 10, and 11 of said act, as amended, are hereby repealed.

SEC. 5. So much of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes," approved June 6, 1900, as reads: "Provided, That nothing in the act to regulate the use of the Capitol Grounds, approved July 1, 1882, shall be construed to prohibit concerts on the Capitol Grounds at times when neither House of Congress is sitting by any band in the service of the United States under the direction of the Architect of the Capitol," is hereby repealed.

With the following committee amendment:

On page 2, line 13, after the word "officials" insert "or distinguished ex-public officials."

Mr. GARRETT of Tennessee. Mr. Speaker, I would like to ask the gentleman in charge of the bill, or some one who can give me information concerning it, one or two questions. I suppose the third paragraph in section 2 is new law, and I presume the Architect of the Capitol is to determine the question in the case of funerals held while Congress is not in session. The matter seems to be left wholly in the discretion of the Architect of the Capitol.

Mr. LANHAM. The Architect of the Capitol stated before the committee that in such matters he always acts in cooperation with the Sergeant-at-Arms of the House and the Sergeant-at-Arms of the Senate, and would do so even with the enactment of this legislation. It was considered advisable to have some one directly responsible and in charge, with the understanding, however, he would act in cooperation with the Sergeants-at-Arms of the respective bodies.

Mr. GARRETT of Tennessee. The gentleman from Texas will observe that it is proposed to amend the bill and to insert "or distinguished ex-officials." I think this act if adopted means that the Architect of the Capitol will be the official who will determine whether or not the Capitol Building or any part of it shall be used for funerals of ex-public officials.

Mr. LAGUARDIA. Distinguished ex-public officials?

Mr. GARRETT of Tennessee. Yes.

Mr. LANHAM. I think it is clear that is true.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ISOLATED TRACTS OF PUBLIC LANDS

The next business on the Consent Calendar was the bill (H. R. 6684) to amend section 2455 of the Revised Statutes of the United States, as amended, relating to isolated tracts of public land.

The Clerk read the title of the bill.

The SPEAKER. This bill requires three objections. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2455 of the Revised Statutes of the United States, as amended, be, and is hereby, amended to read as follows:

"SEC. 2455. It shall be lawful for the Secretary of the Interior to order into market and sell at public auction, at the land office of the district in which the land is situated, for not less than \$1.25 an acre, any isolated or disconnected tract or parcel of the public domain not exceeding 320 acres which, in his judgment, it would be proper to expose for sale after at least 30 days' notice by the land office of the district in which such land may be situated: *Provided*, That any legal subdivisions of the public land, not exceeding 160 acres, the greater part of which is mountainous or too rough for cultivation, may, in the discretion of the said Secretary, be ordered into the market and sold pursuant to this act upon the application of any person who owns lands or holds a valid entry of lands adjoining such tract, regardless of the fact that such tract may not be isolated or disconnected within the meaning of this act: *Provided further*, That this act shall not defeat any vested right which has already attached under any pending entry or location."

With the following committee amendment:

Page 2, line 14, strike out the word "vested" and insert in lieu thereof the word "valid."

The committee amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I have an amendment:

On page 1, line 4, after the word "States" insert in parenthesis "section 1171 of title 43 U. S. C."; and at line 6, after the figures "2455" in parenthesis "section 1171 of title 43, of U. S. C."

The SPEAKER. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 1, in line 4, after the word "States" insert in parenthesis "section 1171, title 43, U. S. C."; and in line 6, after the figures "2455" insert in parenthesis "section 1171, title 43, U. S. C."

Mr. RAMSEYER. Will the gentleman yield for a question?

Mr. LAGUARDIA. Yes.

Mr. RAMSEYER. When this bill was up before and was objected to and the question involved in the gentleman's amendment was raised, I happened to read the bill and to compare it with the section of the code which it seeks to amend. On page 2, line 9, and also at line 13, the word "act" appears. In the section of the code, at both places, the word is "section." I should like to know why this change from "section" to "act," and whether it does not enlarge the scope of this section by changing it from section to act. I do not know whether the author of the bill did this intentionally or whether this is the language in the bill that came from the department. What is the object of changing the word "section" to "act"?

Mr. WINTER. I can not inform the gentleman, but the form of the bill was approved by the Interior Department as it reads now.

Mr. RAMSEYER. I am just wondering whether they are after something more than they are entitled to, or something more than they want or should have.

Mr. LAGUARDIA. I do not think so. The language is "pursuant to this act," and it refers to this bill.

Mr. RAMSEYER. But this is a section of a number of sections of the act; and the original section, which was the law and is the law now, but which will be displaced by this section, always referred to section and not to act; and what is embodied in this section was only intended to affect things in this section and not in the act, which may have consisted of quite a number of sections, as the gentleman well knows.

Mr. LAGUARDIA. I think there might be that danger if it referred to some other act or some other section. Still, there would not be any objection, if the gentleman wishes, to amend it to read "section" instead of "act."

Mr. RAMSEYER. Then, after we dispose of the pending amendment, I will offer another amendment.

The SPEAKER. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. RAMSEYER. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 9, strike out the word "act" and insert the word "section," and on page 2, line 13, strike out the word "act" in both places and insert the word "section."

The amendment was agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

A message in writing from the President of the United States was presented to the House of Representatives, by Mr. Hess, one of his secretaries.

DEBT OWED BY GREECE TO THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying papers, referred to the Committee on Ways and Means.

To the Congress of the United States:

I am submitting herewith for your consideration a copy of the report of the Secretary of the Treasury regarding the proposed plan for the settlement of the debt owed by Greece to the United States and of the differences existing between the two Governments arising out of the tripartite loan agreement entered into at Paris under date of February 10, 1918.

The plan of settlement has my approval, and I recommend that the Congress enact the necessary legislation authorizing it for the following reasons:

It provides for the funding of the Greek war debt to our Government and for the settlement of the Greek claim for further advances under the tripartite loan agreement made during the war. While our Government is to advance some twelve millions to Greece, the loan is amply secured, is to be repaid over a period of 20 years at an adequate rate of interest, and is to be used exclusively for reconstruction work of great humanitarian

as well as economic value. This loan discharges what the Greek Government has consistently contended is a legal and moral commitment of our Government.

CALVIN COOLIDGE.

THE WHITE HOUSE, February 6, 1928.

INDEBTEDNESS OF THE KINGDOM OF SERBS, CROATS, AND SLOVENES

Mr. GREEN of Iowa. Mr. Speaker, by direction of the Committee on Ways and Means, I present the following report on H. R. 367, to authorize the settlement of the indebtedness of the Kingdom of the Serbs, Croats, and Slovenes.

BRIDGE ACROSS THE TENNESSEE RIVER

Mr. DENISON. Mr. Speaker, I want to finish these bridge bills. These are all from the State of Tennessee, and on account of the provision of the State law I am obliged to offer an amendment of one word to the committee amendment. I call up the bill (H. R. 9198) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Paris-Dover road in Henry and Stewart Counties, Tenn.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, on page 2 of the bill, in line 1, I move to strike out the word "twenty" and insert the words "twenty-five."

The Clerk read as follows:

Page 2, line 19, strike out the word "twenty" and insert the words "twenty-five."

The amendment to the committee amendment was agreed to and the committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE CUMBERLAND RIVER

Mr. DENISON. I call up the bill (H. R. 9137) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Lebanon-Hartsville road in Wilson and Trousdale Counties, Tenn.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, on page 2, line 20, I move to strike out the word "twenty" and insert the words "twenty-five."

The Clerk reported the amendment, as follows:

Amendment to the committee amendment: Page 2, line 20, strike out the word "twenty" and insert the words "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE CUMBERLAND RIVER

Mr. DENISON. Mr. Speaker, I now call up the bill (H. R. 9139) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Lafayette-Celina road in Clay County, Tenn.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, I move to amend the committee amendment, on page 2, line 19, by striking out the word "twenty" and inserting the words "twenty-five."

The Clerk read the amendment, as follows:

Amendment by Mr. DENISON to the committee amendment: Page 2, line 19, strike out the word "twenty" and insert the words "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS TENNESSEE RIVER, ROANE COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I call up the bill H. R. 9196, granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Decatur-Kingston road in Roane County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DENISON to the committee amendment: Page 2, line 13, strike out the word "twenty" and insert in lieu thereof the word "twenty-five."

The amendment to the committee amendment was agreed to, and the committee amendment was agreed to. The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS TENNESSEE RIVER, MARION COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I now call up the bill H. R. 9147, granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a toll bridge across the Tennessee River, on the Jasper-Chattanooga road in Marion County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DENISON to the committee amendment: Page 2, line 13, strike out the word "twenty," and insert in lieu thereof the word "twenty-five."

The amendment to the committee amendment was agreed to and the committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS TENNESSEE RIVER, KNOX COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I call up the bill (H. R. 9197) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Tennessee River on the Knoxville-Marysville road, in Knox County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment to the committee amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DENISON: Page 2, line 13, strike out the word "twenty" and insert the word "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS CUMBERLAND RIVER, STEWART COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I call up the bill (H. R. 9199) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Cumberland River on the Dover-Clarkesville road, in Stewart County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment to the committee amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 2, line 19, strike out the word "twenty" and insert the word "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE CLINCH RIVER, HANCOCK COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I next call up the bill (H. R. 9293) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the Clinch River on the Sneedville-Rogersville road, in Hancock County, Tenn.

The Clerk read the title of the bill.

Mr. DENISON. Mr. Speaker, I offer the following amendment to the committee amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 3, line 7, strike out the word "twenty" and insert in lieu thereof the word "twenty-five."

The amendment to the committee amendment was agreed to. The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. DENISON. Mr. Speaker, on behalf of the Committee on Interstate and Foreign Commerce, I express to the House my sincere appreciation of their very kind consideration.

TO CONSOLIDATE COPYRIGHT ACTS

Mr. VESTAL. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6104) to amend sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909, with the amendment which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass the bill H. R. 6104, as amended, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909 (sec. 57 and sec. 61, of Title 17, U. S. C.), be, and the same are hereby, amended so as to read as follows:

"SEC. 57. That the said printed current catalogues as they are issued shall be promptly distributed by the copyright office to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised lists of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster General, and they shall also be furnished in whole or in part to all parties desiring them at a price to be determined by the register of copyrights for each part of the catalogue not exceeding \$10 for the complete yearly catalogue of copyright entries. The consolidated catalogues and indexes shall also be supplied to all persons ordering them at such prices as may be determined to be reasonable, and all subscriptions for the catalogues shall be received by the Superintendent of Public Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time.

"SEC. 61. That the register of copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees: For the registration of any work subject to copyright, deposited under the provisions of this act, \$2, which sum is to include a certificate of registration under seal: *Provided*, That in the case of any unpublished work registered under the provisions of section 11, the fee for registration with certificate shall be \$1, and in the case of a published photograph the fee shall be \$1 where a certificate is not desired. For every additional certificate of registration made, \$1. For recording and certifying any instrument of writing for the assignment of copyright, or any such license specified in section 1, subsection (e), or for any copy of such assignment or license, duly certified, \$2 for each copyright office record-book page or additional fraction thereof over one-half page. For recording the notice of user or acquiescence specified in section 1, subsection (e), \$1 for each notice of not more than five titles. For comparing any copy of an assignment with the record of such document in the copyright office and certifying the same under seal, \$2. For recording the renewal of copyright provided for in sections 23 and 24, \$1. For recording the transfer of the proprietorship of copyrighted articles, 10 cents for each title of a book or other article, in addition to the fee prescribed for recording the instrument of assignment. For any requested search of copyright office records, indexes, or deposits, \$1 for each hour of time consumed in making such search: *Provided*, That only one registration at one fee shall be required in the case of several volumes of the same book deposited at the same time."

SEC. 2. This act shall go into effect on July 1, 1928.

The SPEAKER. Is a second demanded?

Mr. BOYLAN. Mr. Speaker, I demand a second.

Mr. VESTAL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana is entitled to 20 minutes and the gentleman from New York to 20 minutes.

Mr. VESTAL. Mr. Speaker, this bill proposes to increase the fees in the copyright office. It does not affect any other part of the law. The fees have not been increased in the copyright office in years. They are running behind, so far as their finances are concerned, and had to go before the Committee on Appropriations at the beginning of this session of Congress to obtain special relief. The number of copyright matters coming before the office is increasing daily, and it is absolutely necessary to increase the fees to anywhere near pay the cost of giving this monopoly to these different people. We have increased the fees for all published work from \$1 to \$2 and the fee on unpublished works we leave at \$1. We have

doubled the price of the catalogues because of the cost of printing.

Mr. ABERNETHY. This does not change the law except as to fees?

Mr. VESTAL. No.

Mr. GARNER of Texas. Do I understand that an article, for instance, which is copyrighted in the newspaper still pays \$1?

Mr. VESTAL. No.

Mr. GARNER of Texas. Suppose you write an article to-day for one of the Washington papers, which appears in its columns, and that is the only print there is of it, and you copy-right it. Is the fee for that \$1 or \$2?

Mr. VESTAL. Two dollars.

Mr. GARNER of Texas. What do you mean by "\$2"?

Mr. VESTAL. Suppose a man writes a piece of music and it is not published before he gets the copyright on it. Before it is published he pays \$1.

Mr. GARNER of Texas. You say this copyright-fee increase is to pay the expenses of the copyright office?

Mr. VESTAL. Partly to pay the expenses.

Mr. GARNER of Texas. Heretofore they have been losing money, have they?

Mr. VESTAL. Yes. Mr. Speaker, I reserve the balance of my time.

Mr. BOYLAN. Mr. Speaker, I yield myself 10 minutes.

The SPEAKER pro tempore. The gentleman from New York is recognized for 10 minutes.

Mr. BOYLAN. I think, gentlemen, you remember this bill; it is an old customer. It was passed here last year, and while it passed the House, it failed to pass the Senate.

It is a very simple bill. Inasmuch as the question was asked by my colleague from Texas [Mr. GARNER] as to whether or not it increased the fee. I will answer, it does increase the fee 100 per cent. Where the present fee for copyrighting an article is \$1, it is increased to \$2.

This, gentlemen, is a tax on intelligence, and because the copyright bureau is running behind it wants to get additional money out of the poor writers and poor authors—is manifestly unfair. We do not ask our Agricultural Department to be self-sustaining. We do not ask that the Post Office Department be self-sustaining. We do not ask that our Bureau of Education shall be self-sustaining. We do not ask that our State Department shall be self-sustaining. We do not ask any of the departments that disseminate information to the people of the country, that they be made to pay their way. Why pick on the poor author and make him come and double his contribution to the Government?

Take the case of all the country newspapers. Suppose one of you gentlemen prepared a splendid address—such as I know you are capable of doing—and had it put into the home paper, and before it was sent out you wished to have it copyrighted. You probably felt that it was of such importance that it ought to be handed down to posterity. Instead of paying a dollar you would have to pay \$2.

Gentlemen, I think you will agree with me when I say that we ought to seek out the intelligence of the country, we ought to encourage it, and we ought to foster it by every possible means in our power and not try to nip the budding genius in its very inception by adding to the cost of copyright. I do not see why, because men receive an increase of salary in the copyright bureau that the increase of salary should come out of the poor, struggling author rather than out of the other general funds that we have. I believe in an increase of salary, and I believe on the whole that Government officials are poorly paid and woefully underpaid.

I know, gentlemen, that after your arduous labors of the day here many of you, if you have no dinner engagement, retire to the sanctity of your den, after a good dinner, and you get out the old slippers and the dressing robe and the faithful pipe; you go and pick out a favorite author and regale your mind with him for an hour or two. I want you to consider that some of these authors who entertain you and who have shed such luster and renown upon the literature that has come down to us through the years, were poor men. If these men had had to pay the copyright charges proposed by you to-day you would not have the privilege of reading the splendid emanations of their minds.

You may say, "Well, what does a dollar amount to?" Well, of course, a dollar may not amount to much to a man of opulence such as a Congressman and other celebrated public officials, but a dollar would mean a whole lot to a struggling author. It would mean very, very much. That dollar might be just the very thing that would prevent the publication of his work.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield there?

Mr. BOYLAN. Yes.

Mr. LAGUARDIA. If the author had not sold his story he would not be required to pay the \$2, but would have to pay only \$1.

Mr. BOYLAN. Of course, but it would be taken out of his meager stipend.

Mr. LAGUARDIA. If the dollar were taken out of the price for his story it would not make any difference whether it was copyrighted or not. Can the gentleman mention an author who would be hurt by this bill?

Mr. BOYLAN. I will say that as respects a distinguished author who writes daily and whose writings are copyrighted and are well known to you and other Members of the House, I am credibly informed that all he gets for his daily articles is \$10. I know that the gentleman from New York [Mr. LAGUARDIA] is himself an author.

Mr. LAGUARDIA. I do not want to copyright myself.

Mr. BOYLAN. I know you would not accept \$2 for your articles, because I know they are of such superior merit that they are worth more than \$2. That dollar would come out of the \$10. That dollar would buy your breakfast.

Mr. LAGUARDIA. He would get \$10 from each paper, but he has got only one copyright fee to pay.

Mr. BOYLAN. Oh, no; the gentleman is in error.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. BOYLAN. I yield myself three minutes more. The copyright fee would be paid only once. In the case of a syndicated article the gentleman gets only \$10 for the whole article.

Mr. LAGUARDIA. He must be, indeed, a poor author.

Mr. BOYLAN. He may not, of course, be in the gentleman's class, but he is an author who is highly thought of not only by Members of this House but by newspaper readers in general.

I think, gentlemen of the House, it is our duty to foster struggling authors, and I would be in favor of eliminating entirely all charges for copyrights, because then we would add a further incentive to the genius of the Nation. Of course, they say the first 25 years are the hardest, and I would do that in order to help them over the first 25 years.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. LAGUARDIA. Is the author the gentleman has in mind the man who writes about the famous water from Indiana?

Mr. BOYLAN. Well, that might be one of his subjects. I do not know that he confines himself exclusively to that. However, gentlemen, I consider we should help these struggling authors because we can not have too much intelligence in America. The more intelligent our people are, the better grasp they will have of the doings and workings of Congress; the better they will be able to read the CONGRESSIONAL RECORD and the better they will be able to read, digest, and analyze the wonderful orations delivered on the floor of the House.

Mr. BLOOM. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. BLOOM. Does the gentleman believe that the CONGRESSIONAL RECORD should be copyrighted?

Mr. BOYLAN. I believe if it were copyrighted it might perhaps retard its circulation. [Laughter.] I believe we should give the greatest measure of intelligence to all our people. I am in favor not only of not increasing the cost of copyrights but, as I said previously, I am in favor of eliminating all charges whatever in order that the industrious men and women of America devoting themselves to literary pursuits might be encouraged in every possible way.

Mr. HOOPER. Will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. HOOPER. Does not the publisher ordinarily pay the copyright fee when the author has submitted his work to him?

Mr. BOYLAN. Well, I understand that in many instances the publisher pays it, but takes it out of the stipend given the author.

Mr. LAGUARDIA. What a piker that publisher must be.

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. BOYLAN. Mr. Speaker, I yield myself two additional minutes. In conclusion I ask you to consider this matter very carefully and to vote as your consciences dictate. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. VESTAL. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, I wish to make a very brief statement with reference to this bill. I serve on the committee which gave it consideration. It was reported to this House unanimously by that committee. The gentleman from New

York [Mr. BOYLAN] has made the statement that this is a tax upon intelligence. In my judgment, it is very far from that. The copyright laws of this country give an exclusive privilege to authors whose works are copyrighted. This privilege is for a period of 28 years, with the right of renewal for an additional 28 years, making a total of 56 years. The reference which the gentleman from New York made to the Postal Service and other departments of the Government, therefore, is not analogous to this case because the service to which he alludes is not an exclusive privilege. Copyright laws do not put a tax upon intelligence, but, on the contrary, protect intelligence by granting an exclusive right for 56 years.

All we are asking is that those so protected pay a part of the cost of their own protection, in order that the public generally, who pay taxes and who buy these copyrighted works, may not have to contribute unduly from the Treasury of the American people to the opportunity afforded authors to enrich themselves. Now, that is the gist of this matter.

The gentleman has made reference to the authors. All of the leading authors in this country, certainly all those who have any organized voice through which they can speak, are on record before our committee as being heartily in favor of this legislation; and, as a matter of fact, in our hearings there has not been one protest from any source against the enactment of this bill.

Mr. BLOOM. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. BLOOM. Will the gentleman please state, for the benefit of the Members of the House, why the authors and composers did not object to this bill, and say it was on account of the fact that they wanted to raise the salaries of the employees of the department; that the chairman of the Appropriations Committee said the only way you could get it was by raising the fees, and that is the reason why the authors and composers did not object to this?

Mr. LANHAM. I may have to ask for a little more time if I have to answer these questions, because I want to go on with my statement; but let me say this: Suppose they did ask that? Suppose the authors made the request that the fees be increased in order that those who are working in the copyright office might receive salaries commensurate with the work they are doing? Their higher salaries would then be paid by the copyright fees received from the authors themselves, and yet they are asking that an increased fee be placed upon them, so, even on that assumption, the authors are not objecting.

Now, what is the situation as to the authors? It is almost impossible to buy a piece of current literature, of fiction, biography, or history for less than \$2 a single copy, and the copyright fee we are asking here is \$2, the cost of a single copy of most works of fiction offered the public to-day. For the \$2 which the author pays, what do we give him? We give him the exclusive right to all the earnings received from that copyrighted article for 56 years, and for that privilege the author pays the cost of one copy of his book. Is there anything unreasonable in that? If it is a play or if it is some work he wants to use for a particular purpose without going to the expense of having it published, he may copyright it as an unpublished work at the rate of \$1, which now obtains. There is no increase in that cost whatever.

Mr. SNELL. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. SNELL. I do not know very much about this bill, so I want a little information. As I understand it, all you are asking is to get enough money to reimburse the Government for the work it is doing at the present time.

Mr. LANHAM. To be sure, and it is doubtful whether it will do that.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. VESTAL. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. LANHAM. The copyright office is now operating at a loss.

Mr. SNELL. And this bill is for the purpose of making up that loss.

Mr. LANHAM. Yes; or at least a part of it.

Mr. SNELL. For the rights you give them in the protection of their work.

Mr. LANHAM. That is exactly it. We are simply asking the man who dances to help pay the fiddler.

Mr. BLOOM. Will the gentleman yield?

Mr. LANHAM. In just a moment, after I have finished this statement. We are asking those who receive this privilege to pay part of the cost of conferring the privilege.

We have been making annual appropriations for the upkeep and maintenance of the copyright office. In order to do what?

In order to give these very people an opportunity to have an exclusive right to their work for 56 years.

As I have said before, there has been no complaint whatever before our committee with reference to the bill.

There is just one other feature of the measure which I wish to discuss. We are increasing from \$5 to \$10 the price of the annual catalogue. The annual catalogue contains about 8,000 octavo pages listing about 170,000 copyright entries a year.

Mr. BLOOM. Will the gentleman yield there?

Mr. LANHAM. I will.

Mr. BLOOM. Why not make the price of that book \$50, when through the purchase of that book the people who use it make hundreds of thousands of dollars out of it? Why only increase that from \$5 to \$10 when you double the fee in the other instance?

Mr. LANHAM. The gentleman can apply the argument in the same way to authors. Why, we read in the newspapers and in the magazines about editions of some of these books that are going into 80,000 or 90,000 copies, and the author for his small payment of \$2 is getting great returns from his production. Why not on the same principle increase this fee?

We are simply trying here to do what we think is reasonable and equitable for all parties concerned without working a hardship upon anyone, and we are seeking thereby more nearly to defray the actual cost of operation of our copyright office.

Mr. BLOOM. Will the gentleman yield there?

Mr. LANHAM. Yes.

Mr. BLOOM. With reference to the cost of this book which we are proposing to sell for \$10, does the gentleman know what it costs the department?

Mr. LANHAM. I suppose it costs considerably more than \$10 per copy to prepare the book.

Mr. BLOOM. Is it not the fact that this book which is sold to merchants and others throughout the country is something they absolutely require in their business, and is it not true they could not conduct their business without having this book, and they would be willing to pay \$100 for the book if you charged them that much for it?

Mr. LANHAM. I will answer the gentleman in this way. If the gentleman can get this bill amended and increase that price of \$10 and thereby make them come more nearly paying the cost of operation of our copyright office, I will vote for it.

Mr. BLOOM. So will I. Speak to the chairman of the committee and let us amend it.

Mr. LANHAM. In other words, the committee is endeavoring here to get an increase which, though not commensurate with the protection afforded the beneficiaries, will help us to defray the cost of operating this office. [Applause.]

Mr. BOYLAN. Mr. Speaker and gentlemen, I have heard the distinguished gentleman from Texas, whom I respect and admire. Did he emphasize in his argument that he was going to help the publication of beautiful things that might go down through the years—writings that would raise and elevate the minds of mankind—by eliminating the copyright fee? Oh, no; it was the cost that he emphasized. The only argument he had was the cost. Is there any price on superintelligence, is there any rule of thumb whereby you can place a value upon it? Will you allow a mere matter of cost to fail to bring to it a proper state of recognition? We ought to have something else in our minds rather than the cost. We ought to get away occasionally from the dull daily grind and refresh our souls by enjoying the beauties of nature, art, music, and literature. We ought to think about these things and not be everlastingly talking about costs. Let us not be known as a dollar nation. Let us show the world that we have some regard for the finer things in life. We can do this by defeating this bill that increases the burden on the struggling author.

Mr. McSWAIN. Is the gentleman in favor of the \$1 fee?

Mr. BOYLAN. I am in favor of eliminating the \$1 tax. There should be no tax on intelligence.

Mr. BLOOM. But the gentleman is willing to let the \$1 stay?

Mr. BOYLAN. Yes; I am in favor of that for the present.

The SPEAKER. The question is on the motion of the gentleman from Indiana to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

LEAVE OF ABSENCE

By unanimous consent, the following leaves of absence were granted:

To Mr. BACON, for two days, on account of illness.

To Mr. JACOBSTEIN, for an indefinite period, on account of illness in his family.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND LABOR APPROPRIATION BILL

Mr. SHREVE. Mr. Speaker, I present a conference report on the bill (H. R. 8269) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes.

Which was ordered printed.

FREE GOVERNMENT AND FREE PRESS

Mr. CONNALLY of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address that I delivered before the Texas Press Association.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CONNALLY of Texas. Mr. Speaker and gentlemen of the House, I avail myself of the privilege granted to me by the House by printing in the RECORD an address delivered by me before the State convention of the Texas Press Association at El Paso, Tex., on June 17, 1927:

Mr. President and members of the Texas Press Association, the honor of addressing the State Press Association of Texas places me greatly in your debt. I desire to make acknowledgment of the obligation which it entails. The press of Texas has long enjoyed a reputation extending far beyond the borders of the State. It is a vital force in the intellectual, political, moral, and material life of our people.

It is because the press so accurately measures our progress in so many fields that, though a layman, I am induced to speak to you on Free Government and Free Press. Political freedom and freedom of the press have had such intimate association in their development and still are so interdependent, it has seemed to me appropriate to discuss their relation before this distinguished company.

To-day when the reader may read in numerous newspapers within a few hours of their issue the news from all parts of the world, and editorial and other comment on the action of governments and of men, it is difficult to envisage the periods, not distantly remote, in which the battle for the freedom which the press enjoys to-day was waged. In the Anglo-Saxon struggle for liberty in England and in America all of its triumphs were not on the field of battle. Freedom to think and the right to express opinion by speech and through the press were deemed essential for the correction of abuses and as necessary to preserve the liberty of the citizen as armed revolution was to secure it.

It has been said that "Liberty of opinion has been the last political right that has been gained by the people." Its expression was for centuries dependent upon the will of the sovereign. The monarch ruled without consulting either the will or the opinions of his subjects. To-day public opinion lies at the very roots of democracy and representative government.

EARLY STRUGGLE OF PRESS

With the invention of the printing press by Gutenberg and its improvement, by the end of the fifteenth century newspapers had been established in Venice, Cologne, Copenhagen, Paris, and Amsterdam. More than 120 years expired before The Weekley Newes was established in England, in 1622. It was forced to confine itself to "newes from forain partes." The Tudors and the Stuarts suppressed the discussion of local affairs. The crown claimed the right under its general prerogative to license printers and booksellers and to thus maintain a monopoly.

In 1637 a stringent order was issued by the Star Chamber, that great engine of censorship and tyranny, preventing the importation of books printed abroad to the scandal of religion or the church or government and the printing of any book not lawfully licensed. The same restriction was exercised by the Long Parliament after the abolition of the Star Chamber. It was against an ordinance of that body, in 1643, that John Milton directed his Aeropagitica, a Speech for the Liberty of Unlicensed Printing. Among other things Milton said, "Give me liberty to know, to utter, and to argue freely according to conscience above all other liberties." Under the licensing act objections were made by the licenser against lines 594-599 of the first book of Paradise Lost. Charles II, in 1660, by proclamation, suppressed Milton's A Defense for the English People. A desire to suppress criticism is not inherent alone in kings. It is possessed by other forms of government.

Under Cromwell's Commonwealth persons printing reports of the proceedings of Parliament were subject to prosecution. A resolution prevented news reporters from "intermeddling with their debates or other proceedings or giving any account or minute of the debates." In the days of the Stuarts visitors were excluded from Parliament on the ground that their absence was an aid to liberty, since a member was protected against his words being taken down for future condemnation in the courts of the king. With their overthrow exclusion was continued for political purposes. With the restoration of Charles II the freedom of the press was practically destroyed.

In 1680 a judge declared that when by the King's command the judges were to give an opinion as to what was to be done toward the regulation of the press, they advised that to print or publish any newspaper or pamphlet of news was illegal. He declared that proof of publication was proof of guilt, and that the court alone could determine the issues of malice and libel. The judges refused to submit to the jury any issue except of publication. The judges were appointed by the King and were powerful instruments of oppression. It was around the right of the jury to pass upon intent and malice that the great battles of the future revolved. Finally in 1694 the Commons refused to renew the licensing act, which had given the Government control of the press. Though anyone might print what he would, he was held responsible to a rigid interpretation by the courts. The truth of the publication was not a defense. Almost a century later Lord Mansfield declared, "The greater the truth the greater the libel."

Parliament by a standing order forbade the publication of its proceedings. Notwithstanding such restrictions, the press secured and published reports. Dr. Samuel Johnson wrote parliamentary reports from 1740-1743 and published them. To circumvent the prohibition of the publication of debates, they were represented as taking place in the "Senate of Great Lilliput." Magazines reported the oratory of Mark Antony, Brutus, and other characters as taking place in the "Political Club."

HOW PROSECUTION HELPED

Two famous prosecutions for libel aided the fight for greater liberty. John Wilkes was a member of the House of Commons. In 1763 in an issue of the North Briton he discussed the King's speech to Parliament. Though his attack was upon the King's minister as the author of the speech, it was charged that he had insulted the King. He defied the King's general warrant, but upon a special warrant he was tried and convicted for printing and publishing a seditious libel. The Commons unseated him. At once the case became a political issue. He stood for Parliament and was again elected and again denied a seat. Again elected he was again turned from its doors. On his fourth election his opponent was seated. On his fifth election a new Parliament seated him.

The echoes of the Wilkes case had hardly subsided when there appeared the celebrated letter of Junius addressed to the King. The author was unknown, but a publisher was prosecuted for seditious libel. Though Lord Mansfield instructed the jury that they had no power to determine the intention, the malice, or the sedition, but only the fact of publication, opinion had been so aroused that the jury returned an uncertain verdict and a new trial was granted. On the trial of another publisher of the letter the jury disregarded Mansfield's instructions and acquitted the accused.

These and other trials reacted tremendously upon public opinion in England. Erskine's great speeches in libel cases, among others that of the case of Tom Paine, for publishing the Rights of Man, impressed the public mind.

With the advancement of the English people toward self-government, the desire for a free press increased step by step. The doctrines of Mansfield were definitely repudiated by the Fox libel act in the time of George III. Fox, the great Liberal leader, said: "Speech ought to be completely free. Take away the freedom of speech or writing and the foundation of all freedom is gone." His bill gave the jury the right to judge the intent and tendency of the defendant's words and to acquit the accused for criticisms of the government and men, except where charges were made with illegal intention.

TRUTH MADE DEFENSE

Not yet was complete freedom attained. It was not until 1843 that England provided that truth could be pleaded as a defense, on a plea that its publication was in the public interest. By steady progress the English press may be said to have found its complete freedom. Though Edmund Burke, in referring to the futility of an opposition member making an impression in his day, complained: "In the House he votes forever in a dispirited minority. If he speaks the doors are locked," parliamentary proceedings are no longer withheld from the public. The advances have been made almost without the aid of legislation. It progressed through the growth and strength of public opinion. Like other rights under the British Constitution, it is not guaranteed by any written constitutional provision. It is protected alone by British custom and tradition which have come to have the force of law.

THE STRUGGLE IN AMERICA

In tracing the development of freedom in the United States, the English background must always be kept in mind. During the period when the American Colonies were being provoked to revolution the struggle over the freedom of the press in England was acute. It had its reactions here. The more liberal attitude had the support of the colonists.

One of the interesting libel prosecutions prior to the Revolution was that of John Franklin. He had criticized the general court, the legislative branch in Massachusetts, and the governor, and was sentenced to a month's imprisonment. During his incarceration his younger brother, Ben, operated his paper. Benjamin was being prepared for the brilliant battles of his mature years in behalf of liberty.

The celebrated trial of Zenger was the occasion of the decision of two problems—the right to record and discuss the acts of government, and the right of juries to decide the intent rather than the mere fact of publication. Many editions of the report of the trial were published, both in the Colonies and in England. Gouverneur Morris referred to it as the "dawn of that liberty which afterwards revolutionized America." Zenger attacked Cosby, the royal Governor of New York, and was imprisoned nearly nine months before trial. However, he continued to publish his Journal. He said that by speaking through a hole in the door of the prison to his wife and servant he hoped to continue his weekly Journal as formerly. Counsel for Zenger was able to influence the jury to disregard the instructions of the court, which reserved to the judge the right to determine whether or not the publication was libelous, and secured a favorable verdict.

The Continental Congress in October, 1774, in an address to the inhabitants of Quebec, asserted that the colonists were entitled to five notable rights—representative government, trial by jury, liberty of the person, easy tenure of land, and freedom of the press. They claimed them as Englishmen.

CONSTITUTION AMENDED

It is noticeable that the original draft of the Constitution of the United States did not contain a clause assuring freedom to the press. However, the first Congress submitted to the States the first 10 amendments, which have come to be known as the American bill of rights. The first amendment protects the press in the following language:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

The amendment became effective in 1791. That date marks for the United States the constitutional recognition of the freedom of the press from arbitrary Federal power.

A test was soon to come. The spirit of passionate partisanship that raged during the administration of John Adams brought forth the alien and sedition laws of 1798. Our difficulties with France and Great Britain produced rancor and bitterness at home. The opposition press charged that the administration and the Federalists were partisans of Great Britain. The Federalists retorted that the Republicans were French Jacobins. The sedition bill was designed to silence criticism of the Federalist administration. When first drafted it was more severe than its final form. Alexander Hamilton was astounded at its harsh provisions. He exclaimed, "Why establish a tyranny?" It was enacted on July 10, 1798. One of its notable victims was Matthew Lyon, of Vermont. Lyon was a Member of Congress, and when Vermont papers refused to publish his address to his constituents he established a paper of his own. Among other things he printed a letter from Barlow, the poet, referring to "the bullying speech of your President and the stupid answer of your Senate." For the publication of that criticism Lyon was sentenced to four months in jail and assessed a fine of \$1,000. The trial was farcical and partial. He was incarcerated in a small cell, and was refused writing materials. In the meantime popular fury against the alien and sedition laws was growing in strength. The sentiment for democracy and Jefferson, its leader, were increasing. The people feared an era of proscription under these obnoxious measures. Lyon was nominated for Congress. The Federalists were amazed. Lyon was elected overwhelmingly. Jefferson and his friends raised the amount of his fine.

Upon his release he was triumphantly escorted through New York, New Jersey, and Pennsylvania amidst ovations. Out of the Lyon case grew another prosecution. Anthony Haswell, a man who had served in the Army of Washington, had appealed for funds to pay the fine of Lyon through the columns of his Gazette and had attacked the administration. He was convicted of sedition. There were other cases of arbitrary and tyrannical employment of the act. Opposition to these repressive and un-American measures gained so rapidly that public opinion was aroused. The Virginia and Kentucky resolutions in protest appeared. The triumph of Jefferson, who had led the fight against the alien and sedition laws, was assured in the election of 1800. The repeal of these hated acts brought to an end a dramatic and historic struggle.

NOW FIRMLY ESTABLISHED

It may be said that in America the freedom of the press is firmly and permanently established. The first amendment to the Constitution, however, was merely a limitation upon the power of the Congress. The States were still free to exercise their own power over the press.

The constitutions of Pennsylvania, Delaware, Maryland, and North Carolina, adopted in 1776, contained the earliest declarations favorable to its liberty. To-day most, if not all, of the constitutions of the States contain some similar guaranty. Under constitutional provisions and legislative acts of Texas, newspapers are now privileged to publish "fair, true, and impartial" reports of the proceedings of the courts, unless prohibited by the court, of executive and legislative proceedings, of the transactions at public meetings and reasonable and fair comment and criticism of official acts.

I shall not undertake to discuss the law of libel as it relates to other than public affairs. The right of the citizen to privacy in those matters in which the public has no legitimate concern, and the value of personal reputation rest upon a sound basis. They spring from the same liberty guaranteed to the citizen that the freedom of the press is intended to secure by turning its spotlight upon public questions. To publish a false statement regarding an individual to his injury, or to invade his proper privacy is as much an injustice as the confiscation of his property or his unmerited imprisonment by a tyrannical government. The same power that shields the citizen from undue search or seizure of his papers or effects owes him the duty of protection from undue invasion of his affairs. The public liberty ends where individual liberty begins.

Neither is there warrant for the publication of vicious or obscene matter, which tends to the corruption of morals or the creation of criminal enterprises. The utmost freedom regarding government and the proper censorship of officials are quite different things from unbridled license to print shocking or salacious details not related to public affairs. The press as a whole observes the proprieties in such cases without the compulsion of law. Only a small and disreputable fraction must be restrained.

PUBLIC INTEREST GOVERNS

Freedom of the press was established in the public interest. It was not intended to gratify the curiosity or satisfy a craving to pry into the affairs of individuals. It was not provided to please newspapers or publishers. Its grant devolved upon the press a public function. Because it is essential to political liberty, it is protected. Thomas Jefferson, in 1787, said: "The basis of our Government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter."

Again, 1799, in a letter to Elbridge Gerry, he wrote: "I am for freedom of the press and against all violations of the Constitution to silence by force and not by reason the complaints or criticisms, just or unjust, of our citizens against the conduct of their agents."

Though Jefferson was bitterly abused and vilified by the Federalist press, he adhered to these views. His correspondence abounds in references to the value and necessity of a free press, though he complained that his antagonists had published falsehoods regarding him. In the party struggles of the Jefferson and Jackson periods, newspapers, both large and small, were as a rule bitterly partisan. However, they exerted a strong influence. In their columns were carried in full many of the important speeches delivered in the House and Senate on the epochal questions of those remarkable periods. The individuality of the editor or owner was written all over their pages. They reflected his views and frequently his political bias and prejudice. Many were denunciatory and extremely bitter. Frequently they resorted to grotesque caricature and ridicule.

MUST PRINT TRUTH

There has been marvelous development since that era. To-day when so many of our people read the daily press, its influence upon public opinion is almost impossible of estimate. It has within its power to make or unmake public issues. The fortunes of measures and candidates are often in its hands. Upon its news columns the public depends for its information as to public transactions. Its editorial pages potentially influence their conclusions from the facts. In recent years the special and syndicated writer has become an important factor. By reporting purported fact and artfully intermingling comment and opinion of his own into the fabric of the article, it subtly and ingeniously colors the mind of the reader. These are the methods of the political propagandist. The press, no doubt, is persistently beset by those who would use its columns for propaganda. And therein the newspaper has a great responsibility. It is its duty to print the truth. There is, however, great difficulty to be met in that regard. The quest of truth is not always an easy task. The highest form of service that can be rendered to the public by any instrumentality is to learn the truth and then give that truth to other men. That is the lofty mission of the press.

With its astounding and its ever-increasing power over the mass mind, its responsibilities and duties are commensurately increased. Upon the press there rests a peculiar duty to the public. It subsists upon public patronage. Its very life depends upon the hearing which it receives. Its fortunes vibrate as does that of the ear drum of the public. It owes to its readers and to the public an obligation to relate fully the facts regarding the Government and public affairs. It possesses facilities for ascertaining accurate and complete information with relation to men and issues which the citizen as an individual can never possess. In its larger sweep it is both the eye and the ear of the citizen. He may read the history of the past in books. He reads the history of to-day in the press.

SHOULD BE SUPPORTED

But if the press owes a duty to the public, there rests upon the public a very distinct obligation to the press, and that is the obligation to support it. Many forms of service are rendered by the newspaper. The paper of purely local circulation, as well as the paper of wide circula-

tion, performs a valuable function. The country weekly just as the city daily has its sphere of service. Community life and civic enterprises make many drafts upon its columns for which there is no monetary return. The editor is expected to lead in local enterprises. His time and talents are drafted. Charitable and public organizations must be served. The press should have the financial support of the public which it serves. It ought to be independent in purse as well as in thought. Advertisers and readers are just as necessary as news. The press can not render the highest service when the editor must constantly fight for financial existence. If the press is to support the cause of the public, it must in turn have the support of the people.

LIFTS VEIL OF SECRECY

Secrecy in government is contrary to the genius of a free people. It was against the closed doors of the star chamber that the champions of English liberty hurled their attacks. The press alone can destroy such secrecy. The Constitution gives to debates in Congress absolute privilege. Representatives and Senators may utter what they please in their respective Houses and may not be held to answer for their words in any other place. That freedom, however, would avail little if the press did not carry their words to the people.

In the early days of the Republic the Houses of Congress frequently transacted their business behind closed doors. The House of Representatives first abandoned that practice. Freneau, of the party of Jefferson, attacked the Senate for its secrecy. Among other things he said: "Can there be any question of legislative importance which free-men should not be acquainted with? What are you to expect when stewards of your household refuse to give account of their stewardship? Secrecy is necessary to design a masque to treachery; honesty shrinks not from the public eye."

Gradually, however, public opinion compelled reform until at present secret sessions of the Senate are confined to action on appointments and the consideration of treaties. In quite recent times, although the ban of secrecy has not always been invoked in such cases, it is generally observed. The public is concerned with presidential appointments of officers and diplomats. The power which they are to exercise is the people's power. Their salaries are paid from the people's treasury. Of all the officers and employees of the Federal establishment, consisting of several hundred thousands, only 531 are elected by the people—435 Representatives, 96 Senators, and the President and the Vice President. All of the remainder secure their tenure by appointment of the Executive. Treaties with foreign governments are, within their proper province, binding on the citizen. They involve peace and war. They hold the fate of nations. Our relations with foreign nations may call the boys of the land to the red fields of battle and waste the national treasure. Woodrow Wilson put his finger on the seat of international intrigue and conspiracy that have spilled the blood of millions and caused countless misery when he denounced secret diplomacy as the author of the woes of war. Substantial progress in the direction of peace has been attained in the registration and publication of treaties.

There can be urged no satisfactory reason why these vital concerns of the people should be considered behind the mask of secrecy. Why should the reasons for and against the confirmation of ambassadors be buried in the public archives? Why should the merits and demerits of those who are to sit as judges for life—to rule over the life and property of the citizen—be withheld from the public? Why should appointments to commissions and bureaus that exercise power over the people be confirmed behind closed doors? Why should the Senate screen from the view of the public its deliberations upon treaties that pledge the lives and fortunes of its citizens? The business of the people should be transacted in the open. There should be no chamber the people can not enter. There should be no whispered words that the ear of the people can not hear—no screen behind which the eye of the people can not see. The Senate should open its doors.

Tyrannical governments have in all times feared the press. Wrongs and abuses endeavor to hide themselves. Arbitrary and cruel despotism can not long survive in the pitiless sunlight. When men can witness in the open the making and administration of measures which oppress and exploit them they will not long be tolerated. This has ever made monarchs and autocrats the enemies of a free press. To-day Mussolini in his dream of Empire is more and more suppressing the freedom of speech and the press as he gradually gathers into his hands all of the powers of the Italian State.

In our neighbor State of New Mexico, within recent years, a courageous fight was made by a member of the press against the tyranny of a judge. Carl Magee in resisting the pretensions of power of an arrogant autocrat deserves not alone your gratitude but that of the people. Publicity is a relentless enemy of wrongdoing. A vivid example is at hand. In publishing the revelations of the Walsh investigating committee and the scandals that disgraced the Department of Justice and other branches of the Government, the press rendered an outstanding and useful service to the country. Again in presenting the details of the primary elections in Pennsylvania, wherein \$3,000,000 were poured into the ballot boxes of that State, and in Illinois where a million dollars tarnished the voting booths of the people, it disclosed to the people these

dangerous attacks upon self-government. The publication of these astounding expenditures crystallized a public opinion which was almost instantaneously reflected in Washington. It is doubtful if either of the Senators nominated in such primaries will ever be allowed to take his seat in the Senate.

RIGHT TO CRITICIZE UPHELD

The power of the Executive in foreign affairs is such that he may, without consulting the people, commit the country to a policy from which it may not without embarrassment recede or place the country in a posture of grave difficulty. Because of criticism of the Executive's course in foreign affairs within recent months, President Coolidge in his New York speech of April 25, 1927, said:

"Whenever any section of our press turns on America and on American institutions, and assumes a foreign attitude, every informed person knows that it has fallen from the high estate which is our common heritage, and, becoming no longer worthy of regard, is destined to defeat and failure. No American can profit by selling his own country for foreign favor."

This charge was resented by the majority of the press. The Republican, Camden (N. J.) Post replied: "Better have honest newspapers which disagree with the administration than a fawning press, which coddles the party in power." The Detroit-News remarks: "We lack evidence that Secretary Kellogg is omniscient," while the New York World, observes: "One would have supposed that Mr. Coolidge had lived long enough—to realize that neither Frank B. Kellogg—nor the elegant young men in the State Department are directly inspired." The Louisville Times exclaims: "Tut, tut, Mr. President. A press which criticizes you and Mr. Kellogg is criticizing you and Mr. Kellogg, not America and American institutions." The secrecy of the State Department and its failure to give the facts to the press aroused its distrust and criticism. There is no freedom if it is to be confined to adulation and applause of an administration and its brief authority. Fawning sycophants could flatter rulers before the dawn of freedom. The freedom to oppose and expose, to express unfavorable as well as favorable opinion, is alone real freedom. It protects foolish opinion as well as wise opinion. It is a forum in which error has its chance. Truth ought not to fear the contest. Public opinion is more powerful than party platforms. It is more compelling than caucuses or conventions. It is the dominant force in the life of this Republic. In large measure that opinion is molded by the press. The newspapers of America can arouse the people to a high pitch of enthusiasm for a cause or sweep them with passion into opposition. But the freedom of the press, is not a private possession of a newspaper to be enjoyed as its private property. It is a possession of all free men. It is a sacred public trust. Its exercise is vested in the press to serve all men. For political freedom patriots have suffered the hardships of camp and have died upon a hundred bloody fields. In the battles for the freedom of the press, heroic men have languished in foul jails. They have braved the tyranny of despots—they have had their presses and property destroyed. Inch by inch, its standard has been advanced, until to-day it enjoys a power and prestige unsurpassed by any other single agency in the life of our people.

FREE PRESS VALUABLE

A press of independence, a press whose business office does not overawe its editorial rooms, a press whose columns carry the truth, a press of high courage and patriotism, is one of the richest possessions of a free people.

Before revolution against wrong can be generated there must arise a consciousness of wrong and a will to right it. Before abuses can be corrected we must know of their existence. Before corruption can be punished it must be dragged from the darkness in which it hides out into the light. Before a fraud can be revealed there must be torn from it the mask that conceals its dissembling face. We must have a free press if we are to have a free government.

Here in America has been set up the great experiment in self-government. Here popular government under a written constitution is on trial. Here democracy is now being tested, and here it is to be tested in the years to come. The United States is to answer whether our institutions are to join those that live no more. Here is to be settled whether men at the ballot box in time of peace can hold fast to liberties won at the point of the bayonet in time of war. When the ragged soldiers who had shivered and suffered amidst the rigors of Valley Forge and the hardy mountaineers who had fought at Cowpens and Kings Mountain gathered under the banners of Washington and at Yorktown triumphed over royal armies they pulled down the ensign of a king and lifted high the standard of a people. The divine right of kings was dead. The Constitution of the United States was erected upon the theory that all political power resides in the people. By written guaranties the citizen is protected against the power of government. Liberty under a constitutional democracy was given to the world. Under its inspiration the people of France rose and struck from their cramped and festering limbs the shackles of centuries. It gave courage to the heart of Bolivar as he liberated Latin America from the yoke of Spain. It stirred aspirations for liberty in many

lands. It gave impulse to constitutionalism wherever it struggled with absolutism. It has endured for 140 years. It has stood the stress of war from without and has survived the shock of war from within. It has weathered many storms. A decade ago it plunged into a war that rocked the globe and spilled the blood of millions. It saved democracy for the world. It must now save democracy for itself. It must be saved from the tyranny of a Lenin and the despotism of a Mussolini. It must be saved from corrupt elections and bribed officials. It must be saved from the indifference of its citizens and from the perversion of its powers to selfish and sordid ends. Only the people themselves can save it. They can save it only when they are informed as to the state of their Government and the influences they must combat. To the press they must look for the truth. In their name it was given its freedom. Their blood purchased the liberty which it enjoys. Its high destiny, its lofty mission, is to use its own freedom to secure and to give to the people that truth which shall make them free.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 9481) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1929, and for other purposes," disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. SMOOT, Mr. JONES, Mr. OVERMAN, and Mr. GLASS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8269) entitled "An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1929, and for other purposes."

The message also announced that the Senate had passed without amendment a bill and joint resolution of the following titles:

H. R. 1405. An act granting six months' pay to Maria J. McShane; and

H. J. Res. 104. Joint resolution granting consent of Congress to an agreement or compact entered into between the State of New York and the State of Vermont for the creation of the Lake Champlain Bridge Commission and to construct, maintain, and operate a highway bridge across Lake Champlain.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 7, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, February 7, 1928, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(2 p. m.)

Department of Agriculture appropriation bill.

COMMITTEE ON AGRICULTURE

(10 a. m.)

To establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce (H. R. 7940).

And other bills relating to farm relief.

COMMITTEE ON EDUCATION

(10.30 a. m.)

To provide for a more complete development of vocational education in the several States (H. R. 9201).

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To permit the admission, as nonquota immigrants, of certain alien wives and children of United States citizens (H. R. 6974).

COMMITTEE ON LABOR

(10 a. m.)

To divest goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners of their interstate character in certain cases (H. R. 7729).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES
(10.30 a. m.)

To amend an act entitled "An act for the regulation of radio communications," approved February 23, 1927 (H. R. 8825).

COMMITTEE ON ROADS
(10 a. m.)

To amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads," approved July 11, 1916, as amended and supplemented (H. R. 358, 383, 5518, 7343, and 8832).

To amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads," approved July 11, 1916, as amended and supplemented, and authorizing appropriation of \$150,000,000 per annum for two years (H. R. 7019).

COMMITTEE ON RIVERS AND HARBORS
(11 a. m.)

A meeting to consider favorable reports from the office of the Chief of Engineers on rivers and harbors projects.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE
(10 a. m.)

To promote the unification of carriers engaged in interstate commerce (H. R. 5641).

COMMITTEE ON THE JUDICIARY
(10 a. m.)

To authorize the appointment of special United States commissioners (H. R. 5608).

To authorize district courts of the United States to provide for reports of misdemeanor cases by United States commissioners (H. R. 8555).

To facilitate disposition of the business of United States district courts (H. R. 8556).

To provide for the procedure in the trial of certain criminal cases by the district courts of the United States (H. R. 8230).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

339. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of Agriculture for the fiscal year 1929, for \$7,000, to enable the Secretary of Agriculture to extend the leased wire used by the Bureau of Agricultural Economics in connection with its market news service for farm products from Atlanta, Ga., to Montgomery, Ala. (H. Doc. No. 170); to the Committee on Appropriations and ordered to be printed.

340. A letter from the Acting Secretary of Commerce, transmitting statement of the expenditures in the Coast and Geodetic Survey for the fiscal year ended June 30, 1927; to the Committee on Expenditures.

341. A letter from the Secretary of the Treasury, transmitting report showing the number of documents received and distributed by the Treasury Department during the calendar year ended December 31, 1927, together with the number remaining on hand January 1, 1928; to the Committee on Printing.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. JOHNSON of Illinois: Committee on Military Affairs. H. R. 10146. A bill to authorize appropriations for construction at Scott Field, Ill., and for other purposes; without amendment (Rept. No. 576). Referred to the Committee of the Whole House on the state of the Union.

Mr. KNUTSON: Committee on Indian Affairs. H. R. 462. A bill providing for a per capita payment of \$100 to each enrolled member of the Chippewa Tribe, of Minnesota, from the funds standing to their credit in the Treasury of the United States; with amendment (Rept. No. 589). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. H. R. 487. A bill to amend an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; without amendment (Rept. No. 590). Referred to the House Calendar.

Mr. GREEN of Iowa: Committee on Ways and Means. H. R. 367. A bill to authorize the settlement of the indebtedness of the Kingdom of the Serbs, Croats, and Slovenes; without amendment (Rept. No. 591). Referred to the Committee of the Whole House on the state of the Union.

Mr. McFADDEN: Committee on Banking and Currency. H. R. 10151. A bill to amend section 9 of the Federal reserve act; without amendment (Rept. No. 592). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GLYNN: Committee on Military Affairs. H. R. 1508. A bill to provide for the retirement of August Wolters as a first sergeant, United States Army; without amendment (Rept. No. 573). Referred to the Committee of the Whole House.

Mr. CHAPMAN: Committee on Military Affairs. H. R. 3681. A bill for the relief of Charles F. Reilly; without amendment (Rept. No. 574). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 6377. A bill for the relief of John Shannon; without amendment (Rept. No. 575). Referred to the Committee of the Whole House.

Mr. LANGLEY: Committee on Claims. H. R. 1588. A bill for the relief of Louis H. Harmon; with amendment (Rept. No. 577). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 1616. A bill for the relief of Carl C. Back; with amendment (Rept. No. 578). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on Claims. H. R. 5075. A bill for the relief of W. J. Bryson; with amendment (Rept. No. 579). Referred to the Committee of the Whole House.

Mr. WARE: Committee on Claims. H. R. 6842. A bill for the relief of Joseph F. Friend; without amendment (Rept. No. 580). Referred to the Committee of the Whole House.

Mr. BULWINKLE: Committee on Claims. H. R. 8809. A bill for the relief of George W. Burgess; without amendment (Rept. No. 581). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 8499. A bill for the relief of Arthur C. Lueder; without amendment (Rept. No. 582). Referred to the Committee of the Whole House.

Mr. CELLER: Committee on Claims. H. R. 10417. A bill for the relief of George Simpson and R. C. Dunbar; without amendment (Rept. No. 583). Referred to the Committee of the Whole House.

Mr. DREWRY: Committee on Naval Affairs. H. R. 4608. A bill for the relief of Claude S. Betts; without amendment (Rept. No. 584). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 10276. A bill providing for sundry matters affecting the naval service; without amendment (Rept. No. 585). Referred to the Committee of the Whole House.

Mr. GLYNN: Committee on Military Affairs. H. R. 1182. A bill for the relief of John Anderson; with amendment (Rept. No. 586). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 1183. A bill for the relief of Thomas Conlon; without amendment (Rept. No. 587). Referred to the Committee of the Whole House.

Mr. GLYNN: Committee on Military Affairs. H. R. 2009. A bill for the relief of James M. Pierce; without amendment (Rept. No. 588). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10455) granting a pension to Carrie Hemingway; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3719) granting an increase of pension to Emily F. Squires; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 10539) for the improvement of Horn Harbor, Va.; to the Committee on Rivers and Harbors.

By Mr. HOCH: A bill (H. R. 10540) to credit retired commissioned officers of the Coast Guard with active duty during the World War performed since retirement; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLADAY: A bill (H. R. 10541) in reference to the public-school system of the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOWARD of Nebraska: A bill (H. R. 10542) granting the consent of Congress to the Interstate Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at Decatur, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 10543) to repeal the provision in "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919," approved May 25, 1918, requiring certificates of competency for farmers in the Indian Service; to the Committee on the Civil Service.

By Mr. LUCE: A bill (H. R. 10544) to abolish the office of administrative assistant and disbursing officer in the Library of Congress and to reassign the duties thereof; to the Committee on the Library.

Also, a bill (H. R. 10545) to create an establishment to be known as the national archives, and for other purposes; to the Committee on the Library.

By Mr. McLEOD: A bill (H. R. 10546) to regulate the interstate shipment of firearms; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCHANAN: A bill (H. R. 10547) to establish and maintain one or more pecan experimental stations, one located in the tenth congressional district of Texas; to the Committee on Agriculture.

By Mr. McKEOWN: A bill (H. R. 10548) to authorize United States commissioners to hear all complaints of misdemeanor violations of the law, and for other purposes; to the Committee on the Judiciary.

By Mr. NEWTON: A bill (H. R. 10549) to amend section 11 of an act entitled "An act to limit the immigration of aliens into the United States, and for other purposes" (sec. 211, title 8, of the United States Code), approved May 26, 1924; to the Committee on Immigration and Naturalization.

By Mr. GARBER: A bill (H. R. 10550) to provide for the acquisition by Meyer Shield Post No. 92, American Legion, Alva, Okla., of lot 19, block 41, the original town site of Alva, Okla.; to the Committee on the Public Lands.

By Mr. ENGLAND: A bill (H. R. 10551) authorizing pavement of F Street, South Charleston, W. Va., adjoining the United States naval plant; to the Committee on Naval Affairs.

By Mr. JENKINS: A bill (H. R. 10552) to amend section 6 of the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. KELLY: A bill (H. R. 10553) to grant authority to the Postmaster General to enter into contracts for the transportation of mails by airships to foreign countries and insular and Territorial possessions of the United States for periods of not more than 10 years, and to pay for such service at fixed rates per pound, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. KEMP: A bill (H. R. 10554) providing for the transfer of the title to the military reservation at Baton Rouge, La., to the Louisiana State University and Agricultural and Mechanical College; to the Committee on Military Affairs.

By Mr. RATHBONE: A bill (H. R. 10555) to restore the house in which President Lincoln died to its former condition and appearance; to the Committee on the Library.

Also, a bill (H. R. 10556) to acquire Fort Stevens, in the District of Columbia, and such other land as may be necessary to preserve said fort as a historic landmark; to the Committee on Military Affairs.

By Mr. SCHNEIDER: A bill (H. R. 10557) granting to the State of Wisconsin certain public land for use as a public park; to the Committee on the Public Lands.

By Mr. WILLIAMS of Missouri: A bill (H. R. 10558) to erect a Federal building in the city of Farmington, Mo., on the site now owned by the United States Government; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10559) to provide for the purchase of a site and the erection thereon of a public building in the city of Perryville, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. BERGER: A bill (H. R. 10560) to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. FULMER: A bill (H. R. 10561) authorizing the establishment of the South Carolina migratory-bird refuge; to the Committee on Agriculture.

By Mr. HARE: A bill (H. R. 10562) to establish a farm surplus board; to aid in the orderly marketing, control, and

disposition of surplus of agricultural commodities, and for other purposes; to the Committee on Agriculture.

By Mr. SINNOTT: A bill (H. R. 10563) extending the provisions of the recreational act of June 14, 1926 (44 Stat. 741), to former Oregon & California Railroad and Coos Bay Wagon Road grant lands in the State of Oregon; to the Committee on the Public Lands.

By Mr. COLLIER: A bill (H. R. 10564) to authorize the Secretary of War to grant and convey to the county of Warren a perpetual easement for public highway purposes over and upon a portion of the Vicksburg National Military Park, in the State of Mississippi; to the Committee on Military Affairs.

By Mr. ROBSON of Kentucky: A bill (H. R. 10565) to authorize an appropriation for the relief of the State of Kentucky on account of roads and bridges damaged or destroyed by the recent floods; to the Committee on Roads.

By Mr. WILLIAM E. HULL: A bill (H. R. 10566) granting the consent of Congress to the city of Peoria, Peoria County, Ill., to construct, maintain, and operate a free highway bridge across the Illinois River at or near Peoria, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: A bill (H. R. 10567) to amend that provision of the act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property; to the Committee on Military Affairs.

By Mr. KETCHAM: A bill (H. R. 10568) to foster agriculture and to stabilize the prices obtained for agricultural commodities by providing for the issuance of export debentures upon the exportation of such commodities; to the Committee on Agriculture.

By Mr. NELSON of Maine: Joint resolution (H. J. Res. 193) for the appointment of Roy L. Marston, of Maine, as a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

By Mr. STRONG of Kansas: Joint resolution (H. J. Res. 194) authorizing the President to ascertain, adjust, and pay certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920, as per a certain contract authorized by the President; to the Committee on War Claims.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. BECK of Wisconsin: Memorial of the Legislature of the State of Wisconsin, relating to the Norris resolution proposing an amendment to the Constitution of the United States for the earlier seating of Congress and advancing the date of the inauguration of the President and Vice President from March 4 to January 2; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, memorial of the Legislature of the State of Wisconsin, relating to the negotiation of a treaty with Canada for the early completion of the Great Lakes-Saint Lawrence seaway; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the Congress to preserve the scenic beauty of the Menominee Indian Reservation for the public, to withhold any permit for the leasing and development of the water power belonging to Indians by private interests; to the Committee on Indian Affairs.

By Mr. COOPER of Wisconsin: Memorial of the Legislature of the State of Wisconsin, relating to the negotiation of a treaty with Canada for the early completion of the Great Lakes-Saint Lawrence seaway; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Wisconsin, relating to the Norris resolution proposing an amendment to the Constitution of the United States for the earlier seating of Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the Congress of the United States to make a full survey of the Wisconsin Fox Rivers waterway and to enact such legislation as will result in the completion of such waterway; to the Committee on Rivers and Harbors.

By Mr. LEATHERWOOD: Memorial of the Legislature of the State of Utah, protesting against the passage of the Swing-Johnson bill pending in Congress, or other similar legislation; to the Committee on Irrigation and Reclamation.

By Mr. SCHNEIDER: Memorial of the Legislature of the State of Wisconsin, urging Congress to create a special committee to thoroughly investigate the coal strike in all its phases; to the Committee on Rules.

Also, memorial of the Legislature of the State of Wisconsin, urging the Congress of the United States to enact necessary legislation for a survey of the Wisconsin-Fox Rivers waterway; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 10569) for the relief of Gilbert P. Chase; to the Committee on Claims.

By Mr. ALLEN: A bill (H. R. 10570) granting a pension to Thomas S. Shull; to the Committee on Pensions.

By Mr. BACON: A bill (H. R. 10571) granting an increase of pension to Isabella C. S. Gildersleeve; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 10572) for the relief of Patrick Collins; to the Committee on Military Affairs.

By Mr. BLAND: A bill (H. R. 10573) for the relief of Southern Shipyard Corporation; to the Committee on Claims.

By Mr. CANFIELD: A bill (H. R. 10574) granting a pension to Mary Etta Buchanan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10575) granting an increase of pension to Ellen Froman; to the Committee on Invalid Pensions.

By Mr. DICKINSON of Iowa: A bill (H. R. 10576) granting a pension to Emma Kelsey; to the Committee on Invalid Pensions.

By Mr. DICKINSON of Missouri: A bill (H. R. 10577) granting an increase of pension to Margaret Mead; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 10578) granting an increase of pension to Clarence S. Smythe; to the Committee on Pensions.

Also, a bill (H. R. 10579) granting a pension to Isaac M. H. Fletcher; to the Committee on Pensions.

By Mr. EDWARDS: A bill (H. R. 10580) granting a pension to Glenn Edward Hall; to the Committee on Pensions.

By Mr. EVANS of California: A bill (H. R. 10581) granting an increase of pension to Marion G. Webb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10582) granting an increase of pension to Ida K. Lauderback; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10583) granting an increase of pension to Flora Seymore; to the Committee on Invalid Pensions.

By Mr. W. T. FITZGERALD: A bill (H. R. 10584) granting an increase of pension to Sarah Rooks; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 10585) granting an increase of pension to Henrietta Ritter; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 10586) authorizing the Secretary of War to award a congressional medal of honor to James B. Crea; to the Committee on Military Affairs.

Also, a bill (H. R. 10587) granting a pension to Anderson Cox; to the Committee on Pensions.

By Mr. HASTINGS: A bill (H. R. 10588) granting a pension to Herman Green; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 10589) granting an increase of pension to Charles A. Bills; to the Committee on Pensions.

By Mr. HICKEY: A bill (H. R. 10590) providing for an examination and survey of Michigan City Harbor, Michigan City, Ind.; to the Committee on Rivers and Harbors.

By Mr. HOWARD of Nebraska: A bill (H. R. 10591) for the relief of Kittie R. Miller; to the Committee on War Claims.

By Mr. MORTON D. HULL: A bill (H. R. 10592) granting a pension to Mabel Jane Maher Boosey; to the Committee on Pensions.

By Mr. WILLIAM E. HULL: A bill (H. R. 10593) granting a pension to Mary Jane Howes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10594) granting an increase of pension to Mary E. McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10595) granting a pension to Dilla A. Garvin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10596) granting a pension to Francis Clyde Long; to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 10597) granting an increase of pension to Margaret A. Louthan; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 10598) granting an increase of pension to Mary E. Lamb; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 10599) granting a pension to Louisa Wiegand; to the Committee on Invalid Pensions.

By Mr. KADING: A bill (H. R. 10600) granting an increase of pension to Sarah Fuchs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10601) granting a pension to Anna Jeremio-son; to the Committee on Pensions.

By Mrs. LANGLEY: A bill (H. R. 10602) granting a pension to William Cunagim; to the Committee on Pensions.

By Mr. MAAS: A bill (H. R. 10603) for the relief of Robert P. Partlow; to the Committee on Military Affairs.

By Mr. MAJOR of Missouri: A bill (H. R. 10604) granting a pension to William L. Cowan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10605) for the relief of Max L. Chaudet; to the Committee on the Civil Service.

By Mr. MENGES: A bill (H. R. 10606) granting a pension to Carrie Wilt; to the Committee on Invalid Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 10607) granting a pension to Callie M. Lyon; to the Committee on Invalid Pensions.

By Mr. O'CONNELL: A bill (H. R. 10608) granting an increase of pension to Timothy Sweeney; to the Committee on Pensions.

By Mr. PORTER: A bill (H. R. 10609) for the relief of W. F. Trimble & Sons Co. (Inc.); to the Committee on Claims.

By Mr. RAINEY: A bill (H. R. 10610) granting an increase of pension to Ellen V. Heiner; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 10611) for the relief of Homer Elmer Cox; to the Committee on Naval Affairs.

By Mr. SEARS of Nebraska: A bill (H. R. 10612) granting an increase of pension to Elizabeth Woodruff; to the Committee on Pensions.

Also, a bill (H. R. 10613) granting an increase of pension to Alfred G. J. Petersen; to the Committee on Pensions.

Also, a bill (H. R. 10614) granting an increase of pension to Hannah P. M. Dunham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10615) granting a pension to Theodore K. Rudd; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 10616) granting an increase of pension to Mary H. Devore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10617) granting an increase of pension to Emily A. T. Braas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10618) granting a pension to Mira P. Brown; to the Committee on Invalid Pensions.

By Mr. SOMERS of New York: A bill (H. R. 10619) for the relief of Margaret Constable; to the Committee on Claims.

By Mr. STALKER: A bill (H. R. 10620) granting an increase of pension to Harriet Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10621) granting an increase of pension to Kittie L. Updike; to the Committee on Invalid Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 10622) for the relief of George T. Smith; to the Committee on Claims.

By Mr. SUTHERLAND: A bill (H. R. 10623) for the relief of Lon Snepp; to the Committee on Claims.

Also, a bill (H. R. 10624) for the relief of William J. Casey; to the Committee on Claims.

By Mr. TAYLOR of Colorado: A bill (H. R. 10625) granting a pension to Edwin L. Crow; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 10626) granting an increase of pension to Anna E. Allen; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 10627) granting an increase of pension to Amanda Lightfoot; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10628) granting a pension to John H. Terry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10629) granting a pension to Laura Jane Dehnen; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Missouri: A bill (H. R. 10630) granting an increase of pension to Bashaba A. Forshee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10631) granting a pension to Susan A. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10632) granting an increase of pension to Julie Friedrich; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 10633) granting an increase of pension to Anna Liza Manring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10634) granting an increase of pension to Hannah C. Roberts; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3183. By Mr. ALLEN: Petition signed by William T. Love, of Aquaka, Ill., and other citizens of Henderson County, Ill., urging the passage of an act to create a public trust, to be known as the "Federal home, farms, and agriculture trust," as outlined by proposals of William T. Love; to the Committee on Labor.

3184. By Mr. BARBOUR: Letter of Mrs. W. P. Miller and Mrs. E. M. McCardle, of Fresno, Calif., protesting against the big Navy program; to the Committee on Naval Affairs.

3185. Also, petitions of residents of the seventh congressional district of California, protesting against the passage of the Lankford Sunday bill (H. R. 78); to the Committee on the District of Columbia.

3186. Also, resolution adopted by Porterville Poultry Association, of Porterville, Calif., relative to appropriations for the United States Tariff Commission; to the Committee on Appropriations.

3187. By Mr. BEERS: Petition of members of the congregation of the Lower Tuscarora Presbyterian Church of the Huntingdon Presbytery, requesting favorable action on and enactment into law of House bill 78; to the Committee on the District of Columbia.

3188. By Mr. BOHN: Petition opposing House bill 78 by citizens of Kewadin, Mich.; to the Committee on the District of Columbia.

3189. By Mr. BLOOM: Petition of Mr. John McCarthy, of 722 Amsterdam Avenue, New York City, and other citizens of the United States, who add their protest to House bill 78, a bill for compulsory Sunday observance; to the Committee on the District of Columbia.

3190. Also, petition of O. C. Johnson, of 631 West Two hundred and seventh Street, New York City, and hundreds of other citizens of the United States, who add their protest to House bill 78, a bill for compulsory Sunday observance; to the Committee on the District of Columbia.

3191. By Mr. BROWNING: Petition for increase of pension to Civil War soldiers and widows; to the Committee on Invalid Pensions.

3192. By Mr. BROWNE: Petition of citizens of Clintonville, Waupaca County, Wis., protesting against House bill 78, and all other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3193. By Mr. BUCKBEE: Petition of A. E. Casper and 194 other citizens of Rockford, Ill., protesting against House bill 78, known as the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3194. Also, petition of Henry Jaeger and 100 other citizens of Holcomb, Ill., protesting against the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3195. Also, petition of Mrs. Elmer W. Marsh and several other citizens of Sheridan, Ill., protesting against House bill 78 (Lankford compulsory Sunday observance bill); to the Committee on the District of Columbia.

3196. By Mr. BURTON: Petition of citizens of Oberlin, Ohio, protesting against any ambitious Navy program, and stating that if America's peace gestures are to carry any significance to the world the United States must not initiate a huge armament race; to the Committee on Naval Affairs.

3197. By Mr. CARTER: Petition of the council of the city of Richmond, Calif., urging that Congress cause a Federal investigation of the affairs of the Pacific Telephone & Telegraph Co.; to the Committee on Interstate and Foreign Commerce.

3198. By Mr. CONNERY: Petition of citizens of Lynn, Mass., to favor the bill to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3199. Also, resolution of Post 291, American Legion, East Lynn, Mass., in favor of a large Navy for the United States; to the Committee on Naval Affairs.

3200. By Mr. COOPER of Wisconsin: Memorial of the Wisconsin Legislature, relating to the leasing of the water powers on the Menominee Indian Reservation to private interests; to the Committee on Indian Affairs.

3201. By Mr. CLARKE: Petition from the citizens of Endicott, N. Y., and vicinity, protesting against House bill 78; also from the citizens of Otego, N. Y., and vicinity, protesting against House bill 78; to the Committee on the District of Columbia.

3202. By Mr. DEAL: Petition by citizens of Norfolk, Va., protesting against the passage of House bill 78, providing for compulsory observance of Sunday in the District of Columbia; to the Committee on the District of Columbia.

3203. By Mr. DYER: Petition signed by citizens of St. Louis, Mo., protesting against passage of the Brookhart bill; to the Committee on Interstate and Foreign Commerce.

3204. By Mr. ESLICK: Petition of J. F. Morgan, J. W. Dement, and others, of Lawrenceburg, Tenn.; to the Committee on the District of Columbia.

3205. Also, petition of C. A. Freeman and others, of Lawrenceburg, Tenn.; to the Committee on the District of Columbia.

3206. Also, petition of J. S. Rooker and others; to the Committee on the District of Columbia.

3207. By Mr. EVANS of California: Petition of W. H. Gallup and approximately 5,000 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3208. Also, petition of Byron G. McKibben and approximately 103 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3209. Also, petition of J. E. Kavanaugh and approximately 470 others, in opposition to House bill 6465, amending the immigration act of 1924; to the Committee on Immigration and Naturalization.

3210. Also, petition of Henry H. Hayings and approximately 416 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3211. Also, petition signed by Charles Miller and approximately 10,170 others, against compulsory Sunday observance; to the Committee on the District of Columbia.

3212. By Mr. ROY G. FITZGERALD: Petition of 70 citizens of Dayton, Ohio, praying for the defeat of House bill 78, making Sunday observance compulsory in the District of Columbia; to the Committee on the District of Columbia.

3213. By Mr. FRENCH: Petition of two citizens of Wallace, Idaho, protesting against enactment of House bill 78, or any compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3214. Also, petition of 51 citizens of Moscow and Samuels, Idaho, protesting against enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3215. By Mr. GARBER: Petition and letter of William Sheafe Chase, superintendent of the International Reform Federation, Washington, D. C., asking that the national prohibition act be amended to "prevent evasion, to remedy weaknesses, and to stop nullification of the act"; to the Committee on the Judiciary.

3216. Also, letter of H. V. Kahle, secretary-treasurer of the Associated Industries of Oklahoma, Oklahoma City, Okla., in protest to the enactment of House bill 8125; to the Committee on Public Buildings and Grounds.

3217. Also, letter of J. R. Holmes, of the Sapulpa City schools, Sapulpa, Okla., in support of the education bill (H. R. 7); to the Committee on Education.

3218. Also, letter of John H. W. Fenyvessy, 71 Traymore Avenue, Buffalo, N. Y., in support of Senator BROOKHART's bill (S. 1667); to the Committee on Interstate and Foreign Commerce.

3219. Also, letter of H. H. McClintock, president of the Crystal Ice & Cold Storage Co., of Bartlesville, Okla., in protest to the enactment of House bill 8125; to the Committee on Public Buildings and Grounds.

3220. Also, letter of Mrs. W. B. Mathis, chairman of the ladies' auxiliary of the Oklahoma Rural Letter Carriers' Association, of Sapulpa, Okla., in support of the Gibson bill, providing for a more liberal retirement act and the Reece road bill providing for improvements of the rural mail route roads; to the Committee on the Post Office and Post Roads.

3221. Also, petition of residents of Blackwell, Okla., in support of legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3222. Also, petition of residents of Alfalfa County, Okla., in protest to the compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3223. By Mr. GARNER of Texas: Memorial of executive board of the West Texas Chamber of Commerce, against restriction of Mexican immigration; to the Committee on Immigration and Naturalization.

3224. By Mr. GALLIVAN: Petition of Old Blake House Chapter, Daughters of American Revolution, Dorchester, Mass., Mrs. H. S. Fraser, corresponding secretary, indorsing Joint Resolution 11 in regard to proper use and abuse of the United States flag; to the Committee on the Judiciary.

3225. By Mr. GIBSON: Petition of Barre and Williamstown, Vt., opposing pending legislation for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

3226. By Mr. HALL of North Dakota: Petition of 10 citizens living at Bismarck, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance bill; to the Committee on the District of Columbia.

3227. Also, petition of seven citizens living at Bismarck, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3228. Also, petition of eight citizens living at Jamestown, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3229. Also, petition of two citizens living at Harvey and one citizen living at McClusky, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3230. Also, petition of five citizens living at Ludden, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3231. Also, petition of 11 citizens living at Jamestown, N. Dak., against the enactment of House bill 78, or any other Sunday observance legislation; to the Committee on the District of Columbia.

3232. Also, petition of two citizens living at Jamestown, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3233. Also, petition of 54 citizens living at Medina, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3234. Also, petition of 46 citizens living at Forbes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3235. Also, petition of 35 citizens living at Driscoll, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3236. Also, petition of eight citizens living at Derring, one citizen living at Glenburn, one citizen living at Upham, and one citizen living at Wolseith, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3237. Also, petition of three citizens living at Devils Lake and one citizen living at Dunseith, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3238. Also, petition of eight citizens living at Jamestown and two citizens living at Millerton, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3239. Also, petition of 10 citizens living at Oakes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3240. Also, petition of 28 citizens living at Oakes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3241. Also, petition of seven citizens living at Streeter and three citizens living at Napoleon, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3242. Also, petition of one citizen living at LaMoure, one citizen living at Tuttle, and one citizen living at Steele, all of the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3243. Also, petition of four citizens living at Streeter and four citizens living at Napoleon, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3244. Also, petition of 31 citizens living at Oakes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3245. Also, petition of 25 citizens living at Oakes, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3246. Also, petition of six citizens living at Fessenden, N. Dak., against the enactment of House bill 78, or any other

compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3247. Also, petition of four citizens living at Fessenden, seven citizens living at Manfred, one citizen living at Bowdon, and one citizen living at Chaseley, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3248. Also, petition of 11 citizens living at Manfred, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3249. Also, petition of seven citizens living at Manfred, two citizens living at Harvey, and two citizens living at Chaseley, all in the State of North Dakota, against the enactment of House bill 78, or any other Sunday observance legislation; to the Committee on the District of Columbia.

3250. Also, petition of eight citizens living at Manfred, one citizen living at Chaseley, and one citizen living at Harvey, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3251. Also, petition of eight citizens living at Manfred, one citizen living at Chaseley, one citizen living at Goodrich, and one citizen living at Monango, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3252. Also, petition of two citizens living at Manfred and one citizen living at Fessenden, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3253. Also, petition of 11 citizens living at Fessenden and one citizen living at Bowdon, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3254. Also, petition of three citizens living at Manfred, three citizens living at Harvey, and one citizen living at Chaseley, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3255. Also, petition of 11 citizens living at Robinson, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3256. Also, petition of nine citizens living at Deering and five citizens living at Upham, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3257. Also, petition of four citizens living at Pettibone and six citizens living at Woodworth, all in the State of North Dakota, against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3258. Also, petition of nine citizens living at Valley City, N. Dak., against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3259. By Mr. HARDY: Petition of A. P. Evans and 332 citizens of Otero County, Colo., protesting against the enactment of any compulsory Sunday observance bill; to the Committee on the District of Columbia.

3260. By Mr. KNUTSON: Petition of Miss Grace Holt, Oak Island, Minn., and others, protesting against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3261. Also, petition of Michael Johnson, and others, protesting against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3262. By Mr. HAUGEN: Petition of 38 adult citizens of Fredericksburg, Iowa, protesting against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3263. Also, petition of 24 citizens of Fredericksburg, Iowa, protesting against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3264. Also, petition of 84 citizens of Charles City, Iowa, protesting against the enactment of House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3265. By Mr. HICKEY: Petition of Frank Barnhart and other citizens of Michigan City, Ind., opposing the passage of compulsory Sunday observance bill; to the Committee on the District of Columbia.

3266. By Mr. HOCH: Petition of Lola Evans and 95 other adult residents of Emporia, Kans., protesting against passage of House bill 78, or any compulsory Sunday bills that have been introduced; to the Committee on the District of Columbia.

3267. By Mr. HOWARD of Nebraska: Petition signed by Robert L. Whitaker, of Oakland, Nebr., and other citizens of that city, protesting against the passage of the Lankford bill (H. R. 78) or any other legislation proposed in behalf of compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

3268. By Mr. JOHNSON of Texas: Petition of Mexia Battery & Tire Co., of Mexia, Tex., protesting against the passage of legislation to regulate the manufacture and sale of stamped envelopes, and opposing Senate bill 1752; to the Committee on the Post Office and Post Roads.

3269. Also, petition of Hearne Chamber of Commerce, of Hearne, Tex., indorsing House bill 9201; to the Committee on Education.

3270. Also, petition of H. J. H. Melin, of Cameron, Tex., indorsing House bill 6518; to the Committee on the Civil Service.

3271. By Mr. KIESS: Petition from citizens of Tioga County, Pa., protesting against the passage of House bill 78, known as the Sunday observance bill; to the Committee on the District of Columbia.

3272. By Mr. KINDRED: Resolution of the American Institute, of the city of New York, that a certain bill relating to public health and providing for the establishment of a national institute of health and increased appropriations for the Hygienic Laboratory, introduced into the second session of the Sixty-ninth Congress by Senator RANDELL, be, and hereby is, approved; to the Committee on Agriculture.

3273. Also, resolution of Gen. Harrison Gray Otis Post, No. 1537, Veterans of Foreign Wars, as follows: "As a body of men retired from the service associated in comradeship and renewal of acquaintanceship under the banner of the Veterans of Foreign Wars, we respectfully petition The Adjutant General, United States Army, to approve and recommend to Congress the passage of legislation which will increase the allowances to men on the retired list of the services, etc."; to the Committee on Invalid Pensions.

3274. By Mr. KVALE: Petition of several residents of Pope County, Minn., protesting against Sunday laws; to the Committee on the District of Columbia.

3275. Also, petition of 31 residents of Pope County, Minn., protesting against Sunday laws; to the Committee on the District of Columbia.

3276. By Mr. LEATHERWOOD: Resolution passed by the National Wool Growers' Association, January 21, 1928, with reference to predatory animals; to the Committee on Agriculture.

3277. Also, resolution passed by the National Wool Growers' Association, January 21, 1928, with reference to the tariff; to the Committee on Ways and Means.

3278. Also, resolution passed by the National Wool Growers' Association, January 21, 1928, with reference to fabric legislation; to the Committee on Interstate and Foreign Commerce.

3279. Also, resolution passed by the National Wool Growers' Association, January 21, 1928, with reference to intermediate-credit banks; to the Committee on Agriculture.

3280. Also, petition of numerous citizens of Salt Lake City and surrounding cities, against repealing the national origins act and to immigration legislation in general; to the Committee on Immigration and Naturalization.

3281. By Mr. LEHLBACH: Petition of citizens of Newark, N. J., protesting against compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3282. By Mr. MACGREGOR: Petition of citizens of Buffalo, protesting against the passage of the compulsory Sunday observance bill; to the Committee on the District of Columbia.

3283. By Mr. McFADDEN: Petition of residents of Mill Rift, Pike County, protesting against Sunday observance bills, especially House bill 78; to the Committee on the District of Columbia.

3284. By Mr. McREYNOLDS: Petition, containing 66 names, from the voters of Cleveland, Bradley County, Tenn., in opposition to the passage of the Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3285. By Mr. MAAS: Petition of Alice R. Ely and 33 petitioners from St. Paul and Minneapolis, Minn., relative to Civil War pension legislation; to the Committee on Invalid Pensions.

3286. By Mr. MADDEN: Petition of citizens of Chicago, Ill., protesting against the passage of the Brookhart bill; to the Committee on Interstate and Foreign Commerce.

3287. By Mr. MAJOR of Missouri: Petition of citizens of Slater and Gilliam, Mo., protesting against the passage of House bill 78, or any other national religious legislation which may be pending; to the Committee on the District of Columbia.

3288. By Mr. MAPES: Petition of Rev. E. J. Tanis, president, and Anthony A. Nienhuis, secretary, Consistorial Union of Reformed Churches, of Holland, Mich., for the passage of House bill 78; to the Committee on the District of Columbia.

3289. By Mr. MICHENER: Petition of sundry citizens of Washtenaw and Jackson Counties, Mich., protesting against the passage of the compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3290. By Mr. MILLER: Petition of Government employees of Seattle, Wash., indorsing House bills 492 and 6518; to the Committee on the Civil Service.

3291. By Mr. MOORE of Ohio: Petitions favoring increase of pension for Civil War veterans and their widows; to the Committee on Invalid Pensions.

3292. By Mr. MORROW: Petition of citizens of Hagerman, N. Mex., protesting against enactment of House bill 78, compulsory Sunday observance for the District of Columbia; to the Committee on the District of Columbia.

3293. Also, petition of Dona Ana County Farm Bureau, Las Cruces, N. Mex., protesting against enactment of law restricting Mexican immigration; to the Committee on Immigration and Naturalization.

3294. Also, petition of Chamber of Commerce, Albuquerque, N. Mex., protesting against enactment of law restricting Mexican immigration; to the Committee on Immigration and Naturalization.

3295. By Mr. MURPHY: Petition of Inez P. Blackburn and 200 women of the Women's Christian Temperance Union, of East Palestine, Ohio, protesting against Secretary Wilbur's huge naval program; to the Committee on Naval Affairs.

3296. Also, petition of Mrs. Carl Ryan and 78 others, protesting against the passage of the compulsory Sunday observance laws; to the Committee on the District of Columbia.

3297. By Mr. NEWTON: Petition sent by C. E. Powers and signed by other Minneapolis citizens, against compulsory Sunday observance; to the Committee on the District of Columbia.

3298. By Mr. O'BRIEN: Petition of citizens of Swandale, W. Va., protesting against the enactment into law of the compulsory Sunday observance bill (H. R. 78), or any similar measure; to the Committee on the District of Columbia.

3299. Also, petition of veterans of the Civil War, of Ivydale, Clay County, W. Va., urging Congress to increase pensions of the Civil War veterans; to the Committee on Invalid Pensions.

3300. By Mr. O'CONNELL: Petition of the National Retail Dry Goods Association of New York, opposing certain provisions of the revenue bill (H. R. 1); to the Committee on Ways and Means.

3301. Also, petition of Chamber of Commerce of the State of New York, with regard to recommendations regarding the American merchant marine; to the Committee on the Merchant Marine and Fisheries.

3302. Also, petition of the defender Photo Supply Co. (Inc.), of Rochester, N. Y., favoring the passage of House bill 9195, Cuban parcel post; to the Committee on the Post Office and Post Roads.

3303. Also, petition of the Ohio Chamber of Commerce, Columbus, Ohio, concerning the Swing-Johnson bill; to the Committee on Irrigation and Reclamation.

3304. Also, petition of the Columbia Basin Irrigation League, Spokane, Wash., favoring the passage of House bill 7029; to the Committee on Irrigation and Reclamation.

3305. Also, petition of the American Dental Association, Chicago, Ill., favoring the passage of House bill 5766; to the Committee on Interstate and Foreign Commerce.

3306. Also, petition of the Todd Co., of Rochester, N. Y., favoring the passage of the Cuban parcel post bill; to the Committee on the Post Office and Post Roads.

3307. Also, petition of the North East Service (Inc.), of Rochester, N. Y., favoring the passage of House bill 9195, the Cuban parcel post bill; to the Committee on the Post Office and Post Roads.

3308. Also, petition of Charles C. Lacker and three other citizens of Pittsburgh, Pa., favoring the passage of House bill 125, to increase the salaries of clerks and bailiffs of the United States courts; to the Committee on the Judiciary.

3309. Also, petition of the Page Seed Co., Greene, N. Y., with reference to first, third, and fourth class postal rates; to the Committee on the Post Office and Post Roads.

3310. By Mr. ROBINSON of Iowa: Petition urging that immediate steps be taken to pass the Civil War widow's pension bill, signed by Martha M. Brewster and about 130 citizens of

Dubuque, Dubuque County, Iowa; to the Committee on Invalid Pensions.

3311. By Mr. SEARS of Nebraska: Petition of several hundred residents of Omaha and Douglas Counties, Nebr., against House bill 78, the Lankford bill; to the Committee on the District of Columbia.

3312. By Mr. SELVIG: Petition of Alfred Swanson and 25 adult citizens of Detroit Lakes, Minn., protesting against the passage of House bill 78, or of any bill that will give preference of one religion above another; to the Committee on the District of Columbia.

3313. Also, petition of Hans Hanson and five other adult residents of Moorhead, Minn., protesting against the passage of House bill 78, or of any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

3314. By Mr. SHREVE: Petition of J. H. Humphrey and numerous residents of Corry, Pa., and Spartansburg, Pa., against the passage of the Lankford Sunday bill (H. R. 78); to the Committee on the District of Columbia.

3315. Also, petition of Robert J. Mechaney and 200 or more citizens of Erie, Pa., protesting against the passage of the Lankford Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3316. Also, petition of F. H. DeLand and other citizens of Erie, Pa., against the passage of the Lankford Sunday observance bill; to the Committee on the District of Columbia.

3317. By Mr. SINCLAIR: Petition of numerous residents of Dickinson, Epping, Alexander, Rawson, Williston, Sanish, and Ross, N. Dak., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3318. By Mr. SMITH: Resolution of the Swedish Evangelical Mission Church, of Idaho Falls, Idaho, protesting against the new quota in the Federal immigration law and urging the continuance of the old quota provisions; to the Committee on Immigration and Naturalization.

3319. By Mr. SWING: Petition of citizens of San Diego County, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3320. Also, petition of citizens of Holtville, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3321. Also, petition of citizens of San Diego, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3322. Also, petition of citizens of Fullerton, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3323. Also, petition of citizens of Yorba Linda, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3324. Also, petition of citizens of Arlington, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3325. Also, petition of citizens of Orange, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3326. By Mr. TAYLOR of Colorado: Petition from citizens of Paonia, Colo., protesting against House bill 78, or any other compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3327. By Mr. TEMPLE: Petition of Local, No. 1441, United Brotherhood of Carpenters and Joiners of America, Canonsburg, Pa., and Council No. 199, Order of Independent Americans, McDonald, Pa., in support of House bill 25 and Senate bill 1727, known as the Dale-Lehlbach retirement bill; to the Committee on the Civil Service.

3328. By Mr. TEMPLE: Petitions of number of residents of Washington, Pa., protesting against enactment of House bill 78, the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

3329. By Mr. THATCHER: Petition of numerous citizens of Louisville, Ky., favoring increased pensions to Civil War soldiers and their survivors; to the Committee on Invalid Pensions.

3330. By Mr. THOMPSON: Resolution of the Community Institute, Grover Hill, Ohio, favoring continuance of corn borer campaign; to the Committee on Agriculture.

3331. By Mr. THURSTON: Petition of 37 citizens of Clarinda, Iowa, petitioning the Congress against the passage of House bill 78, or the compulsory Sunday observance bill; to the Committee on the District of Columbia.

3332. By Mr. TILLMAN: Petition of various citizens of Arkansas, asking for speedy passage of pension bills; to the Committee on Invalid Pensions.

3333. Also, petition of John Brown and many other citizens of Benton County, Ark., asking for the passage of the Pea Ridge military park bill; to the Committee on Military Affairs.

3334. Also, petition of Ruch Johnson and other citizens of Madison County, Ark., against passage of House bill 78; to the Committee on the District of Columbia.

3335. By Mr. STRONG of Kansas: Petition of citizens of Concordia, Rydal, and Belleville, Kans., protesting against the passage of the Lankford compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

3336. Also, petition of voters of Belleville, Kans., urging enactment of legislation to increase the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3337. By Mr. UNDERWOOD: Petition of residents of Basil, Ohio, and Baltimore, Ohio, favoring pension increase for Civil War veterans and widows; to the Committee on Invalid Pensions.

3338. By Mr. WARE: Petition of citizens of Kenton and Campbell Counties, Ky., asking that Congress increase the pension of Civil War veterans and their widows; to the Committee on Invalid Pensions.

3339. By Mr. WELCH of California: Petition of Charles A. Morris and 190 citizens of San Francisco, Calif., protesting against the passage of the Lankford bill (H. R. 78) compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3340. Also, petition of Clara S. Scouler and several hundred citizens of San Francisco, Calif., protesting against the passage of the Lankford bill (H. R. 78), compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3341. Also, petition of Andre Carlsen and 193 citizens of San Francisco, Calif., protesting against the passage of the Lankford bill (H. R. 78), compulsory Sunday observance legislation; to the Committee on the District of Columbia.

3342. By Mr. WHITE of Colorado: Petition of the Denver Film Board of Trade, Denver, Colo., and sundry other citizens, protesting the passage of the bill known as the Brookhart bill for the regulation, production, distribution, and exhibition of copyrighted films; to the Committee on Interstate and Foreign Commerce.

3343. By Mr. WINTER: Resolution protesting against further restriction of Mexican immigration; to the Committee on Immigration and Naturalization.

3344. Also, petitions against compulsory Sunday observance, signed by residents of Dubois, and Casper, Wyo., against the Sunday observance law; to the Committee on the District of Columbia.

3345. By Mr. WYANT: Petition of Theodore B. Appel, M. D., secretary of health of Pennsylvania, protesting against stream pollution bill (H. R. 9282); to the Committee on Rivers and Harbors.

3346. Also, petition of Northside (Pa.) Unitarian Church, protesting against navy building program; to the Committee on Naval Affairs.

3347. Also, petition of employees of United States district court, Pittsburgh, Pa., indorsing House bill 125; to the Committee on the Judiciary.

SENATE

TUESDAY, February 7, 1928

The Chaplain, Rev. Zebarny T. Phillips, D. D., offered the following prayer:

Almighty God, Father of all mercies, we bless Thee for all that Thou art in Thyself, to us as yet unknown, and for all that Thou revealest from day to day. For every creature that ministers to our need; for our homes, our loved ones, and our friends; for the examples of the past and the counsels of the present; for Thine infinite blessings to our fathers and Thy promises to their children—make us truly thankful. And give us such a sense of all Thy mercies that we may show forth Thy praise, not only with our lips but in our lives, by giving up ourselves to Thy service and by walking before Thee in holiness and righteousness all the days of our life. Through Jesus Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS, and by unanimous consent, the further reading was dispensed with and the Journal was approved.